

# Car Wash Code of Practice Project Report:

## Home Office Modern Slavery Prevention Fund

Report prepared by the Responsible Car Wash Scheme and the Work, Informalisation and Place Research, Nottingham Trent University

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Nottingham Trent  
University



Home Office



**Responsible**  
CAR WASH SCHEME  
'Promoting compliance, driving up standards'

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# Executive Summary

This report documents a project funded by the Home Office's Modern Slavery Prevention Fund that was led by the Responsible Car Wash Scheme (RCWS) with support from the Work Informalisation and Place Research Centre (WIP) at Nottingham Trent University (NTU) and a number of policing colleagues. It aimed to understand the impact of a two-visit engagement approach built from the RCWS Code of Practice audit model and to catalogue the challenges across the hand car wash sector. Our aim was to explore the levels of non-compliance at the more serious and non-complaint end of the sector in three locations in the UK and to understand how and where these businesses could be challenged.

The project team estimate that there are approximately 5,000 hand car washes in the United Kingdom. We believe that non-compliance in pay and contracts is endemic and the impact on the wider business community, workforce and the UK revenue base should be addressed. This project aims to add further evidence and solutions to improve the sector.

The ability of non-compliant sites to operate highlights what NTU academics have termed *permissive visibility*, which stems from a lack of resources and collective engagement to tackle unlawful and poor practice in the sector. The lack of attention to lower priority breaches may generate more egregious behaviour in the form of trafficking, slavery and organised criminality. If regulatory breaches are left unchecked the opportunity for criminal activity increases.

Criminological research has identified that situational crime approaches can reduce and prevent various types of crimes through environmental product re-design. Such approaches equally apply in the prevention of regulatory offences which, if unchallenged, can morph into a greater range of regulatory breaches, and ultimately criminal offences, that affect individuals as well as the environment.

Offenders choose to commit offences based on their perceptions of available opportunities. Situational factors stimulate these offences. By making the hand car wash the target of greater scrutiny, coupled with support from multi-agency enforcement partners, the risk of identification of regulatory breach and criminal offences increases. This changes the risk reward balance for the hand

car wash operator that exhibits non-compliance. This project aims to tip the balance and highlight a way forward for agencies to keep track of a sector known for breaches.

Early in 2022 the team undertook a project aimed at tackling this perception by engaging with hand car washes and challenging poor compliance across the sector. Working within three distinct geographical areas, we adopted an approach designed to identify non-compliance, sharing information with the site operator and within a multi-agency network to educate, raise standards and facilitate better prioritisation of enforcement resources.

By working together in this way, we believe that the effect of this approach, and the support of proportionate use of enforcement partners time and resources, can assist the development of a compliant sector in the future. A failure to do so at a time when the ODLME views on statutory licensing are unlikely to gain traction whilst plans develop for a Single Enforcement Body, may leave a gap where inaction can lead to the increased proliferation of non-compliant hand car washes and greater problems to resolve.

During the course of the project 36 sites were selected from three police force areas, 12 in each area, with each site visited twice and assessed against the RCWS Code of Practice. These sites across Leicester, Suffolk and Norfolk were selected through a mapping activity by WIP with support from the Police Modern Slavery Organised Immigration Crime Unit (MSOIC) and local police intelligence. The first visit was unannounced whilst the second visit was undertaken within a fixed three-day period and the operator advised in advance, to allow time to collate any additional evidence. Police from Leicester, Suffolk and Norfolk supported the RCWS during the visits, with NTU attending every visit.

Following the conclusion of the second visits, the team hosted three half day workshops, one for each area, inviting a broad range of agencies and enforcement bodies. Using photos and audit information from each site, the workshop explored the perceptions of the compliance rating from the workshop participants, comparing them with the RCWS compliance score and the risk rating from NTU to understand perceptions from professionals who engage with hand car washes on a day-to-day basis and to explore what they saw and how they would challenge non-compliance.

In conjunction with the site visits, a public awareness campaign highlighting commonplace non-compliant practices associated with hand car washes was designed. A series of billboards, posters located at bus stops and advertising on the side of buses was deployed at strategic locations and routes within the areas targeted by the project. The public were encouraged to report any concerns via the Safe Car Wash App.

The full report outlines the context for this project, how the RCWS operates and the project methodology. It explores the nature and extent of non-compliant practices found at the sites following the two visits, the challenges of driving change and raising standards where business practices have become embedded and provides recommendations for multi-agency working to maximise resources.

The project identified the eight recommendations to tackle non-compliance across the hand car wash sector based on the project's mapping, risking, site visits and engagement with partners. They aim to prompt a system that challenges unlawful and poor practice that should ultimately benefit the public purse, members of the public and those people who are in employment across the sector.

1. A shared and agreed approach to eradicate non-compliant activity and unlawful actions needs to be developed, implemented by all agencies and organisations working within the system. This needs to be based on a common understanding of what constitutes compliance and who is responsible for regulation/enforcement of the difference facets that impact hand car washes. This project has highlighted the depth of non-compliance and the lack of unified approaches in three areas of the UK. Despite our extensive engagement in this sector, we were reminded that the embedded nature of non-compliance is a clear and obvious failure of our society to regulate business and support workers and consumers. The lack of rule following and the visible nature of non-compliance to regulators and citizens is a clear sign that this type of activity is tolerated. Reflecting on Keizer et al's work (2008) we should be concerned of the wider ramifications of this on society.



2. The current system of labour market regulation is fragmented, and this enables non-compliance to continue throughout the hand car wash (HCW) sector. Various agencies regulate their respective components of the sector but what is needed is a holistic and unified multi-agency approach. Such an outcome could be one positive result of a movement towards a Single Enforcement Body for labour market regulation. Evidence from our sector wide workshops highlights valuable multi-agency working approaches but a lack of shared strategic objectives and agreed data sharing processes hinders further joined up and targeted work in the sector with many participants indicating that fragmentation of perspectives and organisational needs limited the ability to see the car wash as a whole business. We already observe a sector that fails to be compliant and this will not change without concerted efforts by all parties responsible for tackling the multiple failures documented in this report and through the RCWS Code.
3. Multi-agency action requires effective use of participants resources to disrupt and tackle non-compliance in a targeted way. Many of the elements of compliance are binary; for example, whether a trade effluent consent is in place or not or whether the car wash is registered for business rates. However, other elements are not binary. For example, compliance with PPE regulations where the business may fall short, or the presence of workplace facilities that may, at times, be in an unhygienic condition or require other improvements. Focusing on the binary elements of compliance and applying a continuous pressure on these elements, will bring about a rapid and measurable rate of change. For businesses that comply, as opposed to exiting the market, this will likely have the effect of bringing about further improvements as the continuous pressure applied by regulators then focuses on other elements of compliance. Failure to continue this approach will only cement the belief by operators that they can continue to disregard their legal, moral and ethical requirements and will lead to further abuses of workers, consumer rights and environmental standards.

4. The use of effective multi-agency reporting and monitoring of at-risk sites needs to be considered in a longer-term process that ensures regulatory non-compliance across the full spectrum of rules and legal obligations are tackled together. Workshop participants highlighted that data and intelligence on sites was never stored centrally meaning different agencies hold different parts of the jigsaw restricting the ability of everyone to see the whole picture. Through this project we did not engage with anyone who indicated that they were being forced to work on site. Workshop participants highlighted that those at risk of modern slavery were unlikely to engage with organisations or individuals who made short or one-off engagements with longer term relational engagement needed. Joined up and long-term engagement is recommended.
5. The RCWS code provides a useful check list of legal minimum requirements for hand car washes operating in the UK. The code should be used to raise standards of compliance across the whole HCW sector through education. This approach will not, on its own, tackle the embedded nature of non-compliance in the sector as proved by our prior research (Pickford et al, 2022). We believe that the RCWS code should be used as a checklist for any new business entering the market with a licensing model used to prevent businesses that don't follow these legal minimums barred from setting up. Further local or regional level enforcement of existing businesses is also required to improve standards and remove unlawful actions.
6. In-depth engagement with hand car wash workers across the UK to raise their awareness of their employment and pension rights. The almost complete lack of employment information and awareness (purposeful or not) requires work to ensure that staff are aware of their rights and have agency to affect change. We have seen the challenges owners face in keeping workers but suggest that they tackle this lack of employee longevity not by treating them as cheap assets but as valuable and critical components of their business by providing them with employment contracts, legal minimums in terms of wages alongside sick and holiday pay and by ensuring PPE and welfare facilities are fit for purpose.

7. Community engagement in the form of publicity campaigns may offer a valuable route to educating consumers to the risks of non-compliant hand car washes and results from the billboard and bus stop adverts has seen an increase in local reports to the Safe Car Wash app. However, it must be stressed that none of the sites visited through this project met the legal threshold for a legitimate law-abiding business so we must ensure consumers have a valid legitimate alternative option otherwise we fail to provide them with a clear choice. Campaigns such as NCA's Ethical Consumer campaign clearly articulate the dangers but must consider the alternative option for consumers. The workshop aspect of this project has highlighted the value of partnership working and information sharing. This project recommends the establishment of hand car wash agenda items for all Community Safety Partnerships across the UK to facilitate multi-agency awareness and engagement with a sector in need of reform using the RCWS Code as the basis for engagement with the sector and to determine the risk profile of sites.

8. The ODLME should continue to explore and promote the use of local or regional licensing for this sector with government helping to produce a sector that is fair for all businesses and provides safe businesses for consumers and workers. Any licensing regime should be based on the RCWS Code and Co-badged with the RCWS. This project has highlighted the extensive nature of dangerous practices across a range of factors that should not be allowed to be the sectoral norm.

The project team would like to thank the staff who engaged with us before, during and after our site visits and who helped to facilitate this project. It would not have been possible without their time, energy and interest. We recognise that extensive work occurs across the UK by many organisations and agencies to challenge unlawful and poor practice in a sector recognised as a hot spot for modern slavery and non-compliance across a multitude of factors. This report and its recommendations are intended to support the collective effort to eradicate unlawful activity and ensure that both consumers and staff experience a sector that meets all its legal obligations.

# Introduction

Car washes have been identified as being problematic in terms of their propensity for labour exploitation (Clark and Colling 2018) as well as a range of other non-compliance and criminal activity including modern slavery offences. They are commonly associated with environmental non-compliance, tax avoidance, health and safety and trading standards offences. The industry continues to feature as a sector where workers are at risk of exploitation, resulting in significant volumes of referrals to the Modern Slavery Helpline, the police, the GLAA and other enforcement bodies.

According to the GLAA Headline Trends (GLAA, 2022) “New and irregular migrants to the UK are attracted to employment in the industry as work can often start immediately, without employment checks. Some businesses also proactively recruit workers from overseas, with some report’s indicative of trafficking.”

It is anticipated that the new immigration system and rules for EU and non-EU migrants, coupled with the economic impact of the pandemic, will lead to an increase in modern slavery victims. EU nationals who have either not applied for settled status or had their application rejected as well as workers coming to the UK without the right to work may become vulnerable to labour exploitation, likely to take place in unregulated workplaces such as car washes. The economic downturn may mean that more people may have to accept more exploitative practices in order to secure work and wages and that workplaces may take additional risks when employing workers (Walsh et al 2022).

Criminological research has identified that situational crime approaches can reduce and prevent various types of crimes through environmental product re-design. Such approaches equally apply in the prevention of regulatory offences which, if unchallenged, can morph into a greater range of regulatory breaches, and ultimately criminal offences, that affect individuals as well as the environment. This applies in the context of hand car wash operators.

Offenders choose to commit offences based on their perceptions of available opportunities. Situational factors stimulate these offences. By making the hand car wash the target of greater scrutiny, coupled with support from multi-agency enforcement partners, the risk of identification of regulatory breach and

criminal offences increases. This changes the risk reward balance for the hand car wash operator that exhibits non-compliance.

This project was designed to test whether the RCWS could foster that scrutiny and offer a way for businesses to learn how to become more compliant, reducing the opportunities for, and risk of, offending. Non-compliance at sites is widespread and the degradation of these sites can reduce a sense of shared responsibility for the areas around them. This principle follows the Home Office research conducted by Felson and Clarke “Opportunity makes the Thief” (1998). The aim being that scarce resources can be focused on those other criminal activities, and those hand car washes which may be a hub of greater criminality and forced labour. The RCWS approach provides what Felson and Clarke alongside Hollis et al (2013) describe as Capable Guardians. This role in criminological theory has evolved into sub-classes, with Felson and Boba (2010) arguing that crime is allowed to occur without suitable supervision from a guardian or manager. The project also takes inspiration from Keizer’s work that tested aspects of the ‘broken window’ theory of social decay and degradation which indicates that when “others violated a certain social norm or legitimate rule, they are more likely to violate other norms or rules, which causes disorder to spread” (Keizer et al, 2008). Whilst not working on a longitudinal basis this project provides a baseline to test if challenging infractions can address the alternative regulatory models that appear to operate in the hand car wash sector. (Clark et al 2022).

This project is an evolution of previous work undertaken by the RCWS working with stakeholders to test the effectiveness of different interventions in raising standards and to gain a better understanding of the hand car wash sector. The RCWS Pilot in the West Midlands in 2019 was undertaken with the GLAA and the HSE and tested the audit approach and the scope of the code of practice working with network operators located on supermarket car parks. Work with the South East Regional Organised Crime Unit, Thames Valley Police and NTU on Operation Flinch also in 2019 where the RCWS tested an approach aimed at engagement and education, encouraging operators to sign up to the RCWS. The most recent project led by the GLAA in 2021 trialled three interventions including the RCWS working with a local authority, RCWS working in isolation

and the GLAA contacting the landlord of the site to bring about a compliance pressure to improve standards at hand car washes. This project was evaluated by NTU to measure the changes across these intervention areas and a control local authority (Pickford et al, 2022).

The creation of a sector-specific scheme, that provides a focused guardian to encourage owners to be market compliant, will contribute to the likelihood of market compliance by acting as ‘soft’ pressure (Baldock et al, 2006). Co-operative efforts with firms to improve rather than punish can be more effective in the long-run for improving industry standards (Berliner and Prakash, 2015) and although voluntary membership schemes historically have mixed success, voluntary-membership bodies with the ability to refer to enforcement bodies do encourage compliance. (Potoski and Prakash, 2005 and Vidovic et al, 2013).

To ensure a degree of fair comparison between each area we have chosen to use WIP’s standard approach to measuring risk at hand car washes. Risk is measured across three sets of factors creating three dimensions which are then combined into an overall risk profile score. Each dimension and the overall risk score are scored from 1-10 with 10 representing the most problematic sites. This risk score methodology is undertaken virtually with Google Street View used to explore the sites. We recognise that this approach has limitations versus on-site visits where a more detailed investigation can be undertaken (for example to search for the owner’s name and contact details, checking for insurance certification and welfare provision for workers, etc). However, this method has been utilised across all 1958 sites WIP has reviewed across the United Kingdom. An outline of this model and some example factors are shared below alongside a map of Norwich to highlight the way this can be represented as a tool for agencies considering how to prioritise visits.

WIP Risk Score Description		
Physical Risk - 1-10	Environmental Risks - 1-10	Worker Risks - 1-10
Signs of historic and present degradation such as building damage.	Trade effluent pooling on the site, pavement or road.	Absence or inadequate PPE such as high-vis clothing, gloves and boots.
Frequent changes of brand and name which may indicate phoenixing.	Broken or uneven ground.	Lack of shelter from the elements.
Overall Risk (compound score based on the three aspects of risk outlined above) 1-10		

Table 1: WIP's Risk Score model with example factors

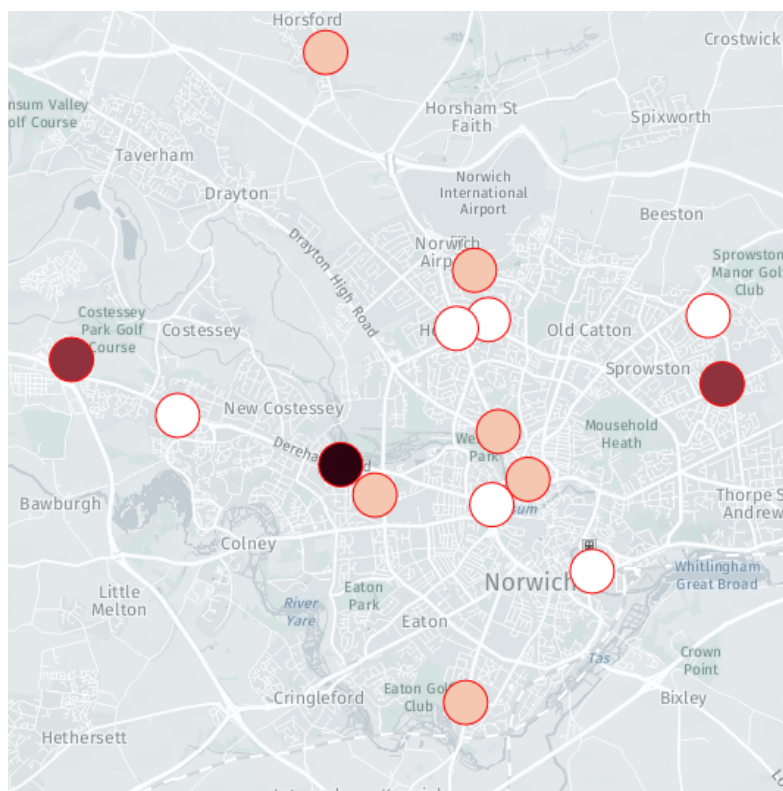


Figure 1: Example of Hand Car Wash sites with colour graded overall risk scores

This risk classification provides a level of comparison within test areas and between them to understand and identify sites that may be of higher potential risk.



The project team have used this risk classification method to help identify sites at the upper end of the risk profile and alongside Police and sector partner data has been used to select the sites within this project.

It should be noted that not all sites are classifiable due to limitations imposed by the Google Street View mapping schedule and photographic reach. It does however provide a scalable and reliable method to judge any changes and trends across areas or site types. NTU conduct these risk scores across all sites in their UK database. At current rate they have mapped over 35% of English neighbourhoods, validated with physical visits and by partners in the sector. It has also been used by the National Crime Agency to inform their AIDANT intensification activity at hand car washes through June 2022.

Data on risk scores are shared for each site within the report and compared with RCWS site audit results alongside stakeholder scoring of sites during our three area-based workshops. This helps create a compound view of these sites and explore how this mixed review model can be used by partners to tackle modern slavery and other regulatory infractions and build a system to review work across the sector and beyond.

## The Responsible Car Wash Scheme (RCWS)

The RCWS is a not-for-profit, voluntary scheme created to promote compliance and raise standards in the car washing and valeting sector. As a voluntary scheme it relies on operators coming forward to evidence that they run a compliant business. In this regard the RCWS and its Code of Practice (Code) provides an industry standard pulling together legislation covering employment practices, financial transparency, health and safety, consumer and environmental protection. The award of RCWS Accreditation provides a visual indicator of compliance providing the consumer, and enforcement bodies, a means by which to differentiate between a site that operates in a compliant manner and those that clearly exhibit forms of non-compliance. As a voluntary scheme the motivation for a HCW to seek accreditation will be varied. For some, it provides the opportunity for independent, third-party confirmation that they operate compliantly. For others, it may come as a direction from their



landlord to gain accreditation to continue to operate. Operators outside of these two scenarios have no compunction to join the scheme and with limited contact from enforcement agencies, operate with impunity.

Aside from offering a voluntary accreditation scheme, the RCWS has undertaken substantive work with enforcement bodies to provide a greater understanding of the industry and the nature and extent of non-compliance, with particular emphasis on the risk to vulnerable workers from all forms of labour exploitation.

## Work, Informalisation and Place Research Centre, Nottingham Trent University

The Work, Informalisation and Place Research Centre (**WIP**) provides methodologically innovative interdisciplinary studies with a specific focus upon the spatial dimensions of contemporary work and employment in sectors such as hand car washes, nail bars, and small-scale garment manufacturing. Work in these sectors tends towards casualisation and informalisation where workers operate under business models that embed patterns of labour market exploitation.

Our research expertise enables us to study contemporary patterns of **work** in many sectors of employment, determine the extent to which **informalisation** is a feature and examine a sector through a **place**-based methodology centred on a city, a county or region, a district or a suburb. We present our research at world-leading conferences such as European Group for Organizational Studies, and the International Labour Process Conference. We publish our research in world-leading and internationally recognised journals and provide bespoke confidential research intelligence-led reports and presentations for regulators and other stakeholders.

Our work is currently themed into three strands exploring informalised labour and work, regulation and enforcement and spatial analysis of informalised work opportunities which are developed by the creation of empirical research and policy and practitioner engagement.

**[Work, Informalisation and Place Research Centre, @WIP\\_research](#)**

# Scope and Deliverables

## Scope of Work

The scope of work for the study was as follows:

- Area location and site identification
- Site visits, assessment and report
- Return site visits to discuss reports with operators
- Issue reports to site landlords
- Workshops to discuss results of study with stakeholders

## Deliverables

The following deliverables were to be provided on completion of the study:

- Three workshops with stakeholders within each of the selected geographical areas to discuss and disseminate the results of the study.
- A final report outlining the results of the study, conclusions and recommendations.
- The Modern Slavery Organised Immigration Crime Unit (MSOIC) to update their guidance material on targeting exploitation and modern slavery at hand car washes to include reference to the RCWS Code of Practice and its application in raising standards. This will be disseminated within all Regional Organised Crime Unit (ROCU) areas as part of the project to assist in awareness raising and to disseminate leading practice and will be accompanied with the project evaluation report.

The intention of this project is to assess car washes against the RCWS Code of Practice (the “Code”), to share this assessment with regulatory and enforcement stakeholders allowing them to consider further action as appropriate. The code has been developed in conjunction with a consortium of enforcement bodies led by the Gangmasters and Labour Abuse Authority (GLAA) and assesses car washes for non-compliance in areas of:

- environmental regulations, including trade effluent consents
- health and safety regulations
- non-payment of tax (VAT, income tax and business rates)
- lack of appropriate planning permission
- poor accommodation for workers
- evidence of modern slavery

#### **PROVISION 1: CONSENT TO TRADE AND TRADING STANDARDS**

##### **Clause 1.1: Planning**

Operator must obtain planning consent or have confirmation from their local authority regarding the status of their site with regards to planning.

##### **Clause 1.2: Trading Standards**

Operator must display full name of proprietor, an address at which the business can be contacted and have a clear, prominent pricing of their services.

#### **PROVISION 2: FINANCIAL TRANSPARENCY & CORPORATE GOVERNANCE**

##### **Clause 2.1: Registration of Company**

Operator must demonstrate the legal structure under which they operate, that the company is registered with HMRC and confirm their VAT status.

##### **Clause 2.2: Insurance**

Operator must hold employers' liability, public liability and, where vehicles are moved, the appropriate motor insurance.

#### **PROVISION 3: PROVIDING SAFE AND HYGIENIC WORKING CONDITIONS**

##### **Clause 3.1: Risk Assessment of Site**

Operator must identify potential hazards and take steps to control risks.

##### **Clause 3.2: Personal & Protective Equipment (PPE)**

Operator must provide appropriate PPE.

##### **Clause 3.3: First Aid, Accidents and Ill Health**

Operator must take all reasonable steps to prevent accidents and injury in the workplace, report according to RIDDOR, and have an adequate first aid kit.

##### **Clause 3.4: Workplace Facilities**

Operators must provide adequate welfare facilities including toilets, drinking water and somewhere for workers to take breaks and eat meals.

#### **PROVISION 4: PROTECTING THE ENVIRONMENT**

##### **Clause 4.1: Location of Site**

Operator must be able to demonstrate the location of the hand car wash enables the site to comply with environmental regulations.

##### **Clause 4.2: Disposal of Waste Effluent (Water)**

Operator must obtain a Trade Effluent consent from a water company.

<p><b>Clause 4.3: Disposal of Waste Material</b></p> <p>The operator shall safely contain and dispose of other waste associated with the business using the services of a registered waste carrier.</p> <p><b>Clause 4.4: Accidental Spillage of Chemicals</b></p> <p>The operator must have an appropriate spill kit and staff trained to deal with spillages.</p> <p><b>PROVISION 5: COMPLIANT &amp; ETHICAL EMPLOYMENT PRACTICES</b></p> <p><b>Clause 5.1: Safeguarding Workers</b></p> <p>The operator must be able to demonstrate that they operate compliant and ethical practices. That employment is voluntary and that there is no forced or bonded labour.</p> <p><b>Clause 5.2: Checking Workers Legal Right to Work</b></p> <p>The operator must undertake right to work checks for all workers.</p> <p><b>Clause 5.3: Terms of Engagement (contracts)</b></p> <p>The operator must evidence that they provide a contract for all workers outlining the terms under</p>	<p>which they are engaged and compliant with current employment law.</p> <p><b>Clause 5.4: Payment of Workers and Record Keeping</b></p> <p>The operator must evidence that payment meets national minimum wage requirements, that all employees are registered with HMRC.</p> <p><b>Clause 5.5: Employment Rights and Benefits</b></p> <p>Operators must evidence that all statutory rights are provided and upheld.</p> <p><b>Clause 5.6: Accommodation provided for Workers</b></p> <p>If provided, operators must evidence what deductions are in line with NMW Offset guidelines and whether it is registered as HMO.</p> <p><b>Clause 5.7: Providing Transport for Workers</b></p> <p>If provided, the operator must evidence that the transport is optional, any charges are in line with NMW Offset guidelines and that the driver has a full licence to drive in the UK.</p>
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Table 2: the RCWS Code of Practice

## Identification of Car Washes

Due to the number of car washes, and their geographical variations, a major challenge for the project was to identify which car washes were to be visited given the available resources to visit them. Identification of geographical areas was achieved through liaison with the MSOIC unit who the RCWS has previously worked with. From this, the following ROCU areas were identified as available to participate in the project:

- Leicestershire
- Suffolk
- Norfolk

Within each of these areas, contact was made with the relevant crime units dealing with modern slavery and exploitation in order to gather local intelligence on car washes in their areas.

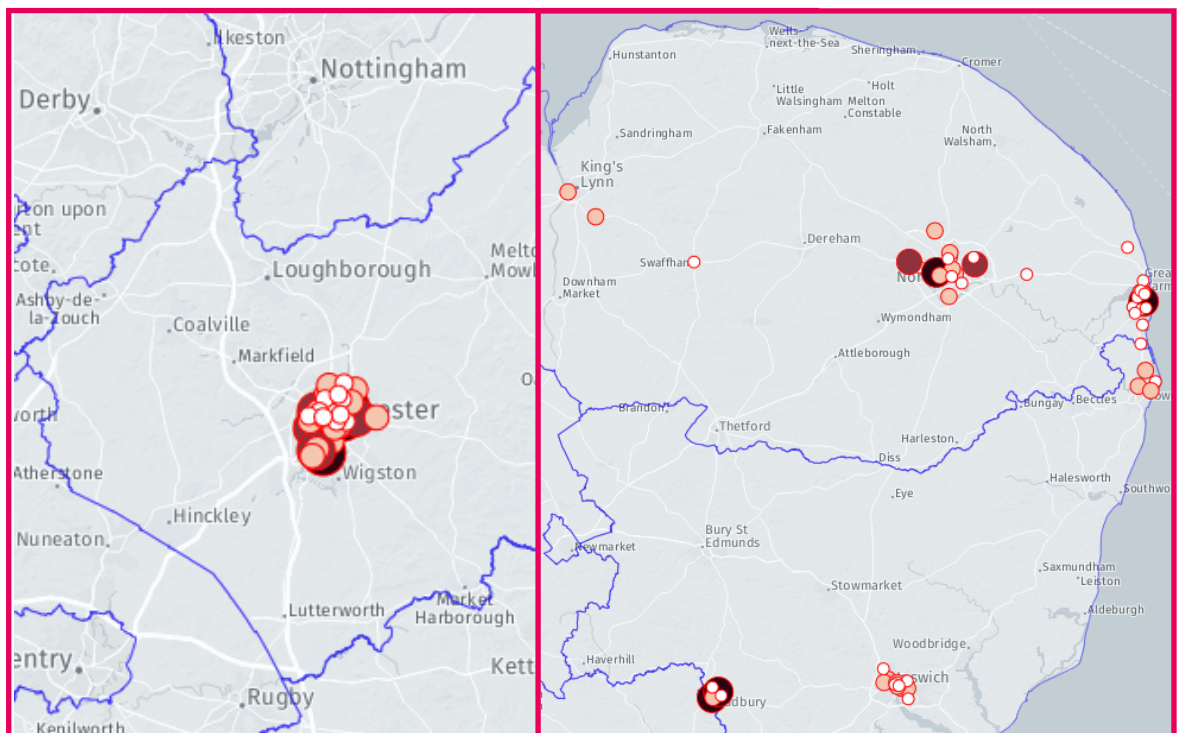


Figure 2: Hand Car Wash locations across three participation areas. Sites scaled and coloured by risk score. Darker and larger equals more problematic

Due to the time constraints of the project, it was agreed at the outset that the number of sites visited in each geographical area would be limited to twelve. Therefore, a mechanism was required in order to identify which car washes would be targeted. To achieve this, NTU, with whom the RCWS have worked with on previous studies, were engaged as a partner in the project. NTU have developed a methodology for identifying and ranking car washes based on several risk factors: details of the NTU analysis are available on request and have been shared with stakeholders. From this analysis, twelve car washes in each area were selected which had the highest risk ranking according to NTU. Once the initial selection was made, these were cross-referenced with intelligence provided by the police units in each ROCU. Further adjustments to the site selection were made to accommodate requests for the RCWS to target HCWs in specific areas, as in the case of Sudbury (Suffolk) and Great Yarmouth (Norfolk). Finally, a further six car washes were held in reserve for each area in case some of the identified sites could not be visited or were closed. In the case of Leicester, only eleven sites were visited as the last site was deemed by the police as inappropriate to visit. For Suffolk, one car wash was uncooperative

and could not be audited.

The objective of the visits was two-fold:

1. to educate the site operator on compliance requirements for hand car washes.
2. to assess the site against the Code to establish a compliance rating and to share the information with multiple agencies and regulatory bodies.

Each car wash was visited twice: the first visit was unannounced with the site being audited against the Code and intelligence gathered on the site owner and number of workers. The second visit was pre-arranged to discuss the site's compliance with the owner and to check for any improvements following visit one. The details of the activities carried out for each visit are given in more detail below.

## Visit One

The site visits were coordinated by the RCWS and the police and were unannounced. In addition to the police and the RCWS, a representative from NTU attended every visit whilst in Suffolk a representative from the Safe Neighbourhood and Partnership Team also attended. The decision on whether there was a uniformed police presence was a matter for the respective police force. Suffolk police attended the visits in uniform and used marked cars. Leicester and Norfolk attended visits in plain clothes and unmarked cars.

Upon arrival at the HCW, the police took the lead in establishing who manages the site, outlining the purpose of the visit and introducing the RCWS auditor. The remainder of the visit was led by the RCWS auditor, with the police observing the process.

Following an introduction to the RCWS and the Code of Conduct, the auditor requested the owner's consent to look around the site and to ask a series of questions. The audit was presented as an opportunity for the owner to have an independent assessment of their business and for the RCWS to provide guidance on compliance matters. The owner was advised that the audit report would be sent to them following the visit. All audits followed a consistent format, with the auditor using a pro-forma questionnaire as shown in Annex of this report (pg 69).

The audit allowed the RCWS to collect intelligence on the owner as well as the business operation, cross checking this with data gathered through desk-based research. Details of the owner's name, contact details, registered name of the business, landlord details and number of workers and their employment status were collected, which allowed for checks regarding:

- planning permission
- trade effluent consent
- registration with Companies House
- latest accounts
- right to work checks
- payslips and employment contracts

Observations of the business operation provided an assessment of the site from a health and safety perspective, amenities available to the workers, provision of adequate PPE, discharge of trade effluent, compliance with trading standards etc. Furthermore, workers were informed of the objective of the visit, spoken to about working at the site, and provided with a card showing details of the Modern Slavery Helpline and a link to the RCWS website containing guidance on worker statutory rights.

In many cases it was stated that the owner was absent, with no one at the site identifying themselves as being in charge, therefore compliance with some parts of the code, such as right to work checks, could not be verified. In such cases the contact details of the owner were obtained, except for two sites, enabling the RCWS to contact the owner following the visit. Contact details for all sites were recorded on a spreadsheet and updated when new information became available to assist with follow up. Additionally, many operators claimed that their accountant would be able to provide evidence of their compliance to aspects of the Code and, as they had no notification of the visit, they would have to refer the matter to them.

Following the visit, an audit report on each site was produced giving an assessment of compliance against the Code. This included information verified through desk-based research, such as company ownership and registration, and whether planning permission and trade effluent consent was in place.

The report was structured such that the requirements of the Code were clearly laid out against the corresponding evidence obtained during site audit. Identified non-compliances were highlighted in red. An example of an audit report is given in Annex of this report.

The report was emailed to the site owner along with an explanation of where they could find guidance on how to address any identified non-compliances. Operators were encouraged to get in touch with the RCWS if they needed any further assistance and encouraged to look at RCWS Accreditation. Contact details for two sites were not available so the RCWS posted the report to the hand car wash at the address of the site. Following the audit each owner was contacted via email or phone a minimum of twice following issue of the report to:

- ensure they have received the communication
- to ascertain if they need any assistance in identifying what they need to do

## Identification of the Landowner

The project methodology included an action to identify the landowner using information shared by the HM Land Registry under the GLAA/Land Registry Memorandum of Understanding (MOU). Due to delays in formalising the MOU, the GLAA were unable to undertake this task within the project timeframe.

Identification of the landlord to bring a compliance pressure on hand car washes was initially trialled in the Intervention Project undertaken by the GLAA and RCWS (Pickford et al. ,2022) with the GLAA highlighting to the landlord the propensity of hand car washes to be involved in labour exploitation as well as other regulatory and criminal activity. This resulted in a 54% response rate, indicating that just over half see it as important to respond.

However, it did not correspond with a change in how the tenant hand car washes operated with none of the sites engaging with the RCWS. The intention in this project was to strengthen the message given to the landowners, communicating any identified non-compliances of tenant car washes to the relevant landowner.



The GLAA intend to use the intelligence gathered during this project to notify the landowners of the compliance rating of their tenants but this will be outside the scope of this report.

## Visit Two

Each site was given a period of six weeks between visits to address the improvement measures highlighted in the site audit report. During this time the RCWS contacted the owner either by phone or email asking if they needed clarification on the report or guidance on how to implement improvement measures.

The operators were contacted again, two weeks prior to the second visit, to advise that the RCWS would be revisiting their site and to request that they make available any new evidence to support their compliance with the Code. Whilst the exact date was not given, the operators were given a narrow timeframe of three days in which to expect the visit.

Leicester and Norfolk police supported the second visits, whilst the Safer Neighbourhood Partnership supported the RCWS for the second visits in Suffolk. Uniformed officers and marked police cars were not present at any time during the second visits. Following the visit, a second report was produced for each site detailing any changes from the first visit, including any progress made towards compliance. This report was not shared with the owner but was used in the metrics for the subsequent multi-agency workshops.

Using the results of both visits, a spreadsheet was developed showing the metrics of non-compliance for each area and the changes between the visits. The results of this are shown below on page 30.

## Workshops

Following the conclusion of the second visits the RCWS, working with NTU, held three half-day workshops, one for each area, inviting a broad range of agencies and enforcement bodies. The workshops provided the opportunity to share the intelligence obtained from the site visits as well as providing a compliance description of each of the sites derived from the RCWS audit.

Using photos of each site, the workshop also explored perceptions of site compliance comparing the risk rating from the workshop participants with the risk rating from NTU. These were then discussed in the context of the RCWS compliance score obtained from the audit and follow up visit.

Following the workshops, all participants received a copy of the audit reports outlining the nature of any non-compliances identified.

## Purpose

The workshops aimed to bring together those agencies and authorities whose expertise and specialisms are pertinent to the hand car wash sector. Issues relating to the sector include potential labour exploitation, employment non-compliance such as wage theft, health and safety risks, informal working arrangements, the presence of undocumented migrant workers, detrimental environmental impacts and the use of land across the sector. The workshops aimed to facilitate a multi-agency discussion to share knowledge and ideas of how best to regulate the hand car wash sector and encourage compliance.

The intended outcomes of the workshops were to:

1. Collectively formulate a set of features which are key indicators of non-compliance in the hand car wash sector. Factors include physical, spatial and environmental concerns as well as suspicious operational and working practices.
2. To gain greater understanding and awareness of the risks in the hand car wash sector through sharing insights and knowledge between agencies to create a centralised hub of information for the sector.
3. To devise possible interventions and approaches to better regulate the sector.

## Workshop Process

These workshops were conducted following prior review by NTU's ethics processes. Workshop discussions were partly shaped by organisational rules around information sharing and data protection and so participants were not able to speak freely on given topics. This is a necessary limitation and does not

compromise the validity of the workshop approach overall because it is reflective of the nature of the participating agencies. Participant consent was gathered for all members of the workshops and non-attributed notes were taken by the research team to ensure anonymity and to increase the likelihood that honest feedback and engagement was gathered. All participants were reminded that comments made would not be linked directly to them and that sensitive reflections and views expressed during the workshops should be kept within the room. The results of the feedback from participants are shared below.

The workshop was semi-structured which began with a presentation delivered by the RCWS and NTU. The presentation gave an outline of the RCWS site visits, findings and key topics of interest. Next, participants were asked to complete an interactive task wherein they were provided with images of twelve hand car washes from their respective regions which they had to rank from best to worst based on visual observation. Leicester and Ipswich participants worked in small groups, and in Norfolk they worked individually due to the overall lower attendance. The task was completed using an app accessed on their mobile phones. The app calculated the group average and plotted the results onto a graph instantaneously. The group discussed the results and had the opportunity to comment on specific sites and compare how they ranked them.

The Leicester and Suffolk participant scoring had a strong positive correlation to the risk classification score of the site, with the riskiest sites being ranked higher. The Norfolk participant's ranking did not have a correlation with the risk classification score and this was discussed during the workshop. Lastly, a discussion took place for participants to make comments, share observations and ask questions. At certain points in the workshops, RCWS and NTU members highlighted issues for the group to consider.

## Raising Awareness

Whilst the programme of site visits was underway, activities to raise awareness of how to identify compliant practices at car washes was also undertaken in the locality of the targeted sites. Working with our partner PR and communications

agency Fourth Day, a campaign of billboards, bus adverts and local media interviews was carried out in order to highlight the project.

The aim was to highlight poor practice and non-compliant behaviour in order to tackle the idea of what NTU term permissive visibility (Clark and Colling, 2018) within the communities that these sites operate in. Figure 3 shows an example of the billboard design.

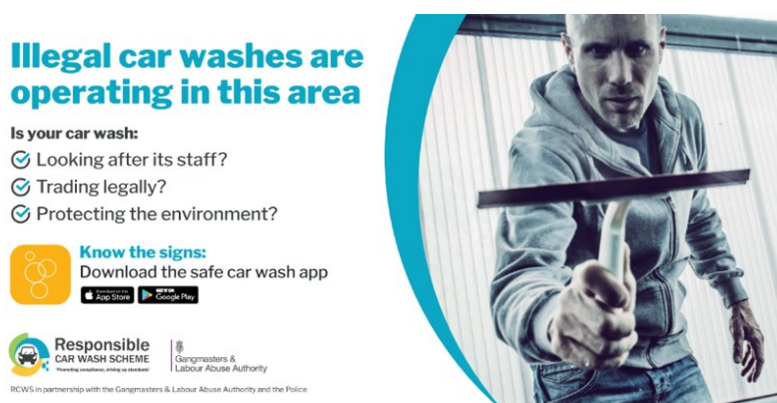


Figure 3: Billboard design that was displayed near the hand car washes to raise awareness

To encourage communities to look out for potential exploitative behaviour at hand car washes in the targeted areas, the Safe Car Wash App was also promoted. The App requires the user to answer five questions when observing a hand car wash, with the data collated for access by the police and the Gangmasters and Labour Abuse Authority.

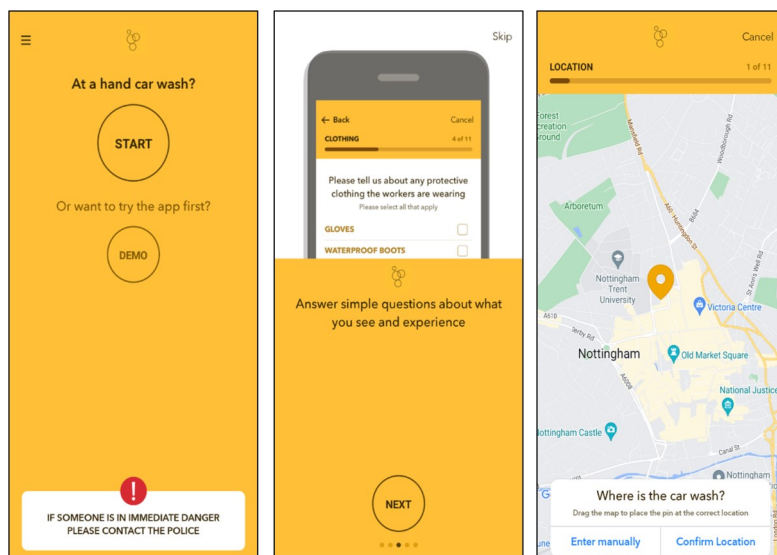


Figure 4: Screenshots of the Safe Car Wash App

# Results

The results of each visit to each car wash were recorded on a spreadsheet, which is included in Annex D. The spreadsheet shows the RCWS Code compliance rating for each site, at both the first and second visit, with the score relating to compliance with different clauses of the Code. Sites needed to be fully compliant with the clauses in the Code to receive a score. Partial compliance with a clause was registered as a failure. Clause 5.1 Safeguarding workers did not factor in the scoring of the sites during the project. Under normal circumstances the RCWS would confirm this by observing the site for a period prior to entering, as well as through interviews with the workers. As neither of these activities were undertaken during the project, the site was not scored against this metric.

It is important to note that the auditors had no legal right to ask questions or to check documents: the questions were answered entirely voluntarily, and the answers accepted at face value. Documents offered to support compliance with the Code were accepted as being valid. Furthermore, if an owner or operator stated that they did not provide accommodation or transport, this was also accepted. Auditors sought to verify this during the on site audit, looking for evidence of workers sleeping on site, and through talking to the workers where possible. In regard to electrical installations, wiring and cables as well as drainage and sewers, the auditors carried out visual inspections.

The results are summarised in Table 2 with a full discussion given later in the report.

Percentage Compliance							
RCWS Code Clause	Leicester		Norfolk		Suffolk		% Against Clause
	V1	V2	V1	V2	V1	V2	
1.1 Planning	36	36	8	17	64	73	39%
1.2 Trading Standards	36	45	8	8	9	9	19%
2.1 Company Reg	27	27	50	50	45	45	41%
2.2 Insurance	0	27	0	17	0	27	12%
3.1 Site Risk Assessment	0	18	8	8	9	27	12%
3.2 PPE	27	36	42	50	45	55	43%
3.3 First Aid	9	27	0	8	0	0	7%
3.4 Welfare Facilities	27	45	58	58	27	27	41%
4.1 Drainage	9	18	8	8	64	73	30%
4.2 Trade Effluent	0	0	0	0	0	0	0%
4.3 Solid Waste Disposal	55	55	50	58	64	73	59%
4.4 Spill Kit	0	18	0	8	0	0	4%
5.1 Safeguarding	0	0	0	0	0	0	0%
5.2 RTW	0	9	0	25	0	9	7%
5.3 Contracts	0	9	0	17	0	9	6%
5.4 Payslips	0	9	8	33	0	18	11%
5.5 Employment Rights	0	9	0	25	0	9	7%
5.6 Accommodation	73	55	83	83	100	100	82%
5.7 Transport	91	73	92	92	100	100	91%
% Compliance Against Visit	21%	27%	22%	30%	28%	34%	

Table 3: RCWS code of conduct scores across the three project areas .

\*Each clause is colour graded to indicate average level of clause compliance.

## Analysis of results against clauses contained within the Code.

### Clause 1.2 Planning

The Town and Country Planning Act 1990 (TCPA) controls all development on land in England and Wales. Generally, all new buildings and uses of land (premises) can require planning permission, but there are exceptions to this. Enforcement action may be taken by a planning authority where no planning consent (permission) has been granted, or where planning conditions are contravened. The project validated planning by asking the operator to provide evidence of planning consent, or by the RCWS checking the planning portal of the respective council.

Suffolk had the highest level of compliance in planning, achieving a 73% compliance score. In comparison Norfolk achieved 8% compliance and Leicester 36%.

The project did not look into whether the sites in Suffolk and Norfolk were fully compliant with planning consent. However, all 11 Leicester sites that were visited as part of the project had their planning permission condition checked and a range of compliance was found. Sites that were operating with permission often had a range of conditions to meet, with restrictions on opening hours, new or updated drainage required and splash shields to contain spray.

- As an example, one site had permission to operate with new drainage that has been installed.
- There are two examples of sites that had fixed term permission for several years and then given permanent permission.
- Another site had its first permission in August 2003 for 1-year and had three further temporary permissions granted with gaps in between of non-compliance. Permanent permission was granted in September 2019, even though there were complaints relating to the application that the site did not keep to its operating hours restrictions. The two examples of fully non-compliant washes either have no attempts made to gain permission or have applied and have been rejected.
- Two sites had a temporary permission, but the permanent application rejected on grounds of not adhering to restrictions on the temporary permission (Noise, temporary buildings used as permanent structures and impact on nearby grade II church). The owner applied for a 1-year extension on the grounds of supporting the families connected during the difficult times of the pandemic and has a new application being processed. The new application has several suspiciously positive duplicate responses for the site to gain permission. The origin of these responses state they are neighbours but due to ease of access to the submission system there is a possibility of owners to submit self-report opinions to improve their odds of approval.

## Clause 1.2 Trading Standards

Under the Consumer Rights Act 2015, councils have the power of entry to visit businesses to check compliance with the Act, looking at issues such as misleading pricing, the absence of business names and contact details.

The project validated this by looking for a clear and transparent pricing list, together with details of the business names and contact details of the business owner. Sites needed to be compliant in both aspects to achieve a score against the clause.

The presence of a clear and transparent pricing list was universal across all sites, being the sites main method of advertisement. The main obstacle for sites in this clause was the absence of details regarding who operated the business, together with contact details. This meant that consumers would not be able to seek redress for any service level issues they may have. Leicester scored the highest level for compliance against this clause achieving a score of 45%. In comparison, Norfolk and Suffolk registered low levels of compliance, with 8% and 9% respectively.

## Clause 2.1 Company Registration

Limited companies and partnerships must be registered with Companies House. Sole traders are not required to register but they must maintain accounting records, pay income tax and file a self-assessment return with HMRC every tax year. Each operator was asked to provide details of the name of the business and the legal structure it operates under. These were in turn verified by checking Companies House details or, in the case of sole traders, a self-assessment return requested. Norfolk achieved the highest compliance score with 50%, closely followed by Suffolk with 45% and Leicester with 27%.

## Clause 2.2 Insurance

Car washes, in line with other businesses, are required to have a minimum level of insurance as outlined below:

**Employers Liability:** Employers are responsible for the health and safety of their employees whilst they are at work. Employers may be injured at work or



they, or former employees, may become ill as a result of their work while in employment. The Employers' Liability (Compulsory Insurance) Act 1969 ensures that a minimum level of insurance cover against any such claims. Operators can be fined if they do not hold a current employers' liability insurance policy which complies with the law.

**Public liability insurance:** This covers for claims made by members of the public or other businesses. Whilst not a legal requirement, it is a requirement of the RCWS.

**Motor Insurance:** If the site operator moves customers' cars during valeting, they must hold a valid motor insurance policy naming the workers who are covered to move customers' vehicles.

The project validated insurance by asking to see evidence of insurance certificates for Employers' and Public Liability, with the addition of motor insurance if it was applicable to the site. Compliance against this clause was extremely low across all three areas. Leicester and Suffolk both achieving a compliance score of 26% following the second visit. No site in Norfolk was able to provide evidence to support compliance against this clause. Compliance with this clause was only evident during the second visit, with the majority of the insurance cover commencing after their first RCWS visit and in the case of one site operator taking out 6 months of cover for employers' liability. Businesses are required to publicly display this information for consumers which is a significant concern.



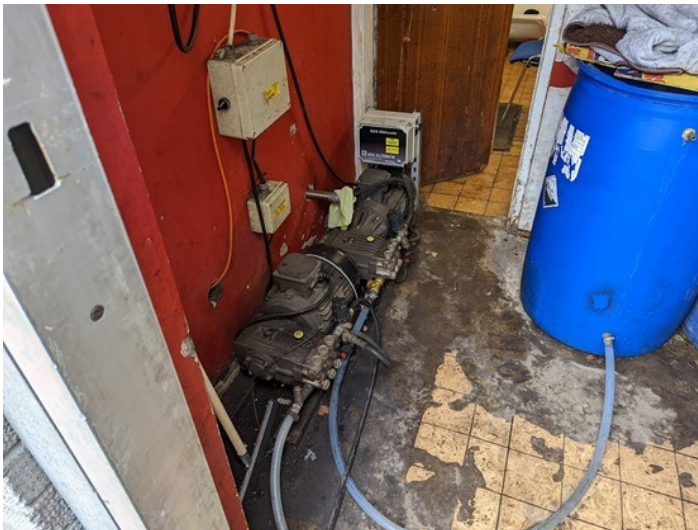
Figure 5: Uneven terrain, broken drain covers and large pools of water. Suffolk

### Clause 3.1 Site Risk Assessment

Under the Health and Safety at Work Act (HSWA), employers have a duty to maintain the health, safety and welfare at work of all their employees, including providing and maintaining safety equipment and safe systems of work. Enforcement of the HSWA is shared between councils and the Health and Safety Executive.

The project validated this by assessing, through a visual inspection, whether the operator had undertaken a risk assessment of the site to identify potential hazards and take steps to control risks. This included:

- Ensuring that electrical installations, equipment and appliances are safe, appropriate for use and checked in line with legislation
- Ensuring that all cleaning products and chemical are stored, labelled and utilised in accordance with health and safety COSHH regulations
- Ensuring the site is free from trip hazards such as trailing cable



*Figure 6: Pump for the pressure washer with electrical cables and hoses causing trip hazard, Leicester*

### Clause 3.2 Personal Protective Clothing (PPE)

Where health and safety risks cannot be controlled in any other way, personal and protective equipment must be provided by the operator for all workers. Workers operate all year round, often in inclement weather, spending many hours in wet conditions.

For context, visit one was conducted between February - March 2022 with visit 2 between April – May 2022.

The project checked for workers wearing waterproof footwear and the presence (wearing) of gloves as a minimum. Ideally workers should be wearing protective footwear, waterproof trousers and hi viz vest/jacket as well. Despite the low threshold to achieve a score against this clause, the highest score recorded for compliance was 55% for Suffolk. This was followed by 50% for Norfolk and 36% for Leicester.



*Figure 7: Staff room with organised chemical and PPE storage, Leicester*

### Clause 3.3 First Aid, Accidents and Ill Health

In regard to compliance against this clause, the project looked for evidence of the operator taking reasonable steps to prevent accidents and injury at the workplace and specifically that they:

- Make a record of any accidents in line with RIDDOR requirements
- Ensure an adequate first aid kit and equipment are on site
- The project validated this by referring to clause 3.1 and 3.2, and specifically looking for the presence of an accident book, a first aid kit and a HSE health and safety at work poster prominently displayed.

Only Leicester achieved a compliance score against this clause, achieving 27% at the second visit, up from 9% from the first visit.



Figure 8: Displayed poster Health and Safety Executive requirements.

## Clause 3.4 Welfare Facilities

Workplace facilities at car washes can vary and space is often at a premium. If facilities are not available in the site due to these constraints the operator needs to provide evidence of how workers' welfare needs are met. In some instances, they may rely on the use of facilities available on the premises of their landlord i.e., toilets on the petrol station forecourt. The project looked for the following:

- Toilets, free drinking water, clean and hygienic rest areas away from chemical storage

The compliance levels varied across the three regions but with all regions registering a compliance score below 60%. The highest compliance score of 58% was found in Norfolk. This was followed by Leicester with a compliance score of 27% at the first visit, increasing to 45% at the second. Suffolk had a compliance score of 27%.





Figure 9: Well-maintained staff room area with fridge, kettle, food and heating, Leicester .

## Clause 4.1 Location of site and drainage

Car washes are found at a variety of locations including car parks, disused retail premises and petrol station forecourts, both active and disused. The location of the car wash will provide several indicators as to the likely compliance of the site with regards to compliance with environmental and planning aspects of the RCWS Code.



Figure 10: Purpose made water drainage by the petrol station. Surface requires upkeep. Norfolk

The project looked at the following indicators:

- The presence of an impermeable wash surface (e.g., concrete wash pad)
- Appropriate shielding to reduce and capture effluent run-off
- A connection to a foul sewer drainage system which is regularly serviced by a registered waste carrier.

Compliance against this clause was highest in Suffolk with 73%. In comparison Leicester achieved 18% compliance with Norfolk lower still at 8%.



*Figure 11: Pooling at a hand car wash, the surface is not designed to handle capacity.  
Suffolk*

## Clause 4.2 Trade Effluent

Operators must obtain a Trade Effluent consent from a water supply company to discharge their trade effluent into the foul sewer. A trade effluent consent is a legal document issued under the provisions of the Water Industry Act 1991. It's an offence to discharge trade effluent without a consent. The consent will contain conditions and limits to the discharge. Breaches of any consent condition constitutes a criminal offence under the above Act and may lead to legal action being taken against the discharger.

If the car wash cannot dispose of its trade effluent via a sewerage connection, it must be collected in a suitable trap or container and disposed of by a licenced water carrier. Trade effluent must not pass to the surface water drains. Wastewater from hand car washes contains a number of harmful chemicals to the environment, primarily the heavily acidic soap products with some heavy chemicals from oil and fuel spilt on the sites.

The impact on infrastructure by the cleaning products can be seen on the surface of the sites, with laid concrete flooring being eroded over time with channels and pooling occurring as a result of the damage.



*Figure 12: Image from a site highlighting water flow from HCW site. Suffolk*

Drain interceptors are often underground tanks that separate water from oil and cleaning product pollutants, with the waste products stored for proper disposal by a licensed water carrier and the water allowed to enter the public sewers. They are normally kept underground and are common at sites that were previously petrol stations and can be identified by the presence of underground access grates on the site floor. Without regular emptying of the tank's waste, pollutants can enter the public sewers.





*Figure 13: An example of unlicensed interceptor waste disposal. Suffolk*

## Clause 4.3 Solid Waste Disposal

The operator was asked to evidence how they disposed of waste material associated with car valeting such as empty chemical containers, disposable PPE, general rubbish from car interiors. Evidence of a contract with the local council or registered waste carrier was looked for.



*Figure 14: A bin on a site with empty chemical bottles and solid waste on top. Leicester*



## Clause 4.4 Spill Kit

Large quantities of chemicals in concentrated form, including acid-based chemicals, are frequently stored on site. The operator was asked to demonstrate that they had contingencies for accidental spillage and that workers were trained and aware of their responsibilities in this regard.

Operators were asked to provide evidence that they had an appropriate spill kit, commercial or custom made, together with details of how they would dispose of the material. Leicester was the only region to register a compliance score against this clause, achieving 18% following the second visit.



*Figure 15: Wash pad with severe corrosion due to use of cleaning chemicals including acid. Leicester*

## Clause 5.1 Safeguarding

As previously noted, safeguarding workers did not factor in the scoring of the sites during the project due to the inability of the auditors to undertake the usual checks to validate that safeguarding was not a concern at the site. Under normal circumstances the RCWS would confirm this by observing the site for a period prior to entering, as well as through interviews with the workers. As neither of these activities were undertaken during the project, the site was not scored against this metric. It is important to highlight that the RCWS Code is comprised of 19 non-weighted clauses. As safeguarding could not be checked or scored during the project, it is excluded from the metrics. The graphs contained in this report include the remaining 18 clauses.

## Clause 5.2 Right to Work Checks

It is a criminal offence under section 21 of the Immigration, Asylum and Nationality Act, as amended by section 35 of the Immigration Act 2016, if you know or have reasonable cause to believe that you are employing an illegal worker. If you are found to be employing someone illegally and you have not carried out the prescribed checks, you may face sanctions including:

- A civil penalty of up to £20,000 per illegal worker
- In serious cases, a criminal conviction carrying a prison sentence up to 5 years and an unlimited fine.

The default answer for most operators when first asked for evidence that they have undertaken right to work checks was that their accountant did these on their behalf. In several cases the operator openly admitted that they did not undertake any checks and in one case the operator admitted that they were employing ‘illegal workers’, that is, undocumented migrants but they were “planning on replacing them in the near future”.

Despite the severity of penalty if found to be breaking the law, compliance with this clause was extremely low with Leicester and Suffolk achieving 9% compliance and Norfolk achieving 8%.

## Clause 5.3 Contracts

The operator is required to record and keep safe the terms of engagement and personal details for all workers including full name, address and age if under 22. The contract must state the status of the worker i.e., whether they are employed or self-employed.

The project confirmed this by asking the operator to provide a sample contract of employment with confirmation of the status of the worker.

In the case of Suffolk, four of the sites produced contracts during the second visit. It was clear from the design and content of the employment contracts provided, and later confirmed by one of the site operators, that they had all been provided by the same accountant. Furthermore, when reading the content of the contract it referred to job roles not usually found at a hand car wash such

as an administrative assistant, referred to a management structure unlikely to exist at a hand car wash, and did not comply with employment law. This suggests that the contracts were hastily created to appease the RCWS auditors during the second visit. These contracts were discounted on the basis that they had no relevance to the job role and business.

Compliance against this clause was extremely low across all three regions and only registered after the second visit when the operators knew that we would be visiting and were able to have the information to hand on site. Leicester and Suffolk scored 9% compliance, representing one site out of 12 in each case. Many operators openly admitted that they did not provide contracts for workers on the basis that worker turnover was high, and that workers' preference was to have casual employment.

## Clause 5.4 Payslips

Car washes are bound by the National Minimum Wage Act 1998 which sets out requirements relating to the payment of the national minimum and national living wages. This is enforced by HMRC National Minimum Wage Unit.

All operators were asked to provide evidence that they supplied payslips to workers and that they were clear, itemised, specifying gross and net earnings. In the case of self-employed workers, copies of invoices relating to services provided was requested.

In line with other clauses relating to employment, all three regions scored poorly in terms of compliance with only one site per region achieving a score.

## Clause 5.5 Employment Rights

Operators must ensure that workers receive their statutory rights including holiday pay, sick pay and pension entitlement and that accurate records are maintained to document entitlements and use.

The project verified this by scrutiny of the employment contract. Given that so few of the operators provided a contract, the compliance score was extremely low in regard to this clause and reflected the compliance with existence of employment contracts.

The exception was Norfolk where the employment contract supplied was not compliant with workplace pensions therefore scoring zero.

## Clause 5.6 Accommodation provided to workers

An operator that provides on site accommodation for workers can be subject to an inspection by the council in regard to the Housing Act 2004. This act empowers local authorities to tackle poor conditions and management standards in the private rented sector.

Accommodation is sometimes used to exploit workers, particularly if it is compulsory and comes with the job, or where excessively high rents are charged for substandard housing. Accommodation may be used by employers to restrict the worker's mobility which is a potential risk factor that could indicate workers are being treated as modern slavery.

Most operators stated that they did not provide accommodation with the auditor having no way of validating this. However, where the operator was absent from the site giving the auditors the opportunity to engage with workers, it was confirmed that sites in Leicester and Suffolk provided workers with accommodation.

Evidence of possible on site accommodation was found at one site located in Ipswich, with a caravan located on the site that had bedding in place. The site received a compliance score for not providing accommodation as there was no evidence of workers using the caravan as accommodation at the time of the audit however the potential for it to be used as such is of concern. Feedback from the local authority indicated it had signs of overnight use when they had previously visited it. Suffolk achieved 100% compliance, Leicester 55% and Norfolk 83% reflecting comments from workers that the operator provided them with accommodation. At several sites the accommodation was described as being near the hand car wash.



Figure 16: On site caravan. The presence of accommodation on site is of concern. Suffolk

## Clause 5.7 Transport

Where it is stated that the operator provides transport for the workers the RCWS auditor would, under normal RCWS auditing arrangements seek verification of whether this was an informal arrangement or the provision of a service. This would be done by talking to several of the workers engaged at the site. If transport is the provision of a service, the operator would be asked to provide details of insurance and details of any payment taken from the workers. Where a site operator stated they did not provide transport they achieved a score against the clause. The results show that few operators claimed to provide workers with transport, with the compliance rating being 100% for Suffolk and 73% for Leicester and 92% for Norfolk.

## Workshop Outcomes

### Participation and Engagement

The hand car wash sector is generally characterised as informal. The enforcement of regulation is fragmented because different agencies have authority over particular aspects of hand car wash businesses but at present there is no centralised approach to oversee compliance across the sector as a whole. The workshops enabled agencies that usually operate independently to share their insights and perspectives in a joint discussion.

Workshops took place in Leicester on Wednesday 27 April, Ipswich on Wednesday 11 May and Norwich on Thursday 9 June 2022. The workshops differed in terms of participant numbers and professional backgrounds. Leicester had 11 participants, Ipswich had 15 and Norfolk had 5. Across the three workshops, attendees included Health and Safety Executive, Police, Fire Service, Local Authorities, charities, HMRC National Minimum Wage, the Gangmasters and Labour Abuse Authority, safeguarding professionals and the National Crime Agency. Not all the workshops had the same attendance from these agencies with Leicester having the widest range of participants than Ipswich and Norfolk. The nature of the discussions and levels of awareness of the issues surrounding the hand car wash sector varied between the regions.

In the group setting, some participants spoke more than others, and this meant that certain viewpoints and issues received greater attention than others. Additionally, some expressed that they had pre-existing knowledge of some of the hand car washes in their respective areas. The relevance of the hand car wash sector to the different agencies in attendance may have been a factor in the different levels of engagement and participation.

### Workshop Findings

#### Indicators of non-compliance shared by workshop participants:

1. Overly legitimate behaviour to deter attention from the authorities: hand car washes that try to look more legitimate than the average and owners who are overly keen to speak to the authorities raise the suspicion that they are over-compensating to hide organised criminality.

2. Businesses in atypical locations: businesses that are located on roads with little traffic or footfall raise questions as to how they make a profit and raises suspicion that it may be a front for hidden organised crime.
3. The use of cash-only payment may be indicative of possible money laundering and other crime.
4. Accommodation on site may indicate labour exploitation and modern slavery.
5. Multiple hand car washes within close proximity.: difficult to see how the businesses could be economically sustainable given the competition.
6. The absence of staff welfare facilities such as bathrooms, health and safety practices and appropriate PPE.
7. The absence of appropriate operational procedures and equipment including waste disposal, water and trade effluent drainage, secure chemical storage and lanes for vehicles.

#### Key issues:

- Visiting a site in person and speaking to workers is a more effective way to understand how a business operates than visual observation alone.
- Trust must be built between workers and the authorities to facilitate communication and engagement which often takes multiple visits.
- Current regulation enforcement is fragmented. Agencies have different remits, different powers, with no clarity on which body has overall responsibility for the hand car wash sector or shared data sharing principles to allow holistic interpretations of sites.
- In its current form, Companies House is a passive record which does not verify the accuracy of information provided by filers. It is hoped that the proposed reforms to the submission and collation of material at Companies House will allow for verification of the information that filers submit.
- Policy transfer of existing licensing mechanisms for alcohol, food hygiene and HMOs could apply to hand car washes to encourage compliance and increase awareness of the required operating standards.



- Hand car washes are transient. The workers, conditions and levels of compliance change over time. A business can change considerably in the time between the first and second site visit.
- The role of consumers:
  - Prices are determined by how much customers are willing to pay.
  - It would be useful to know who washes the large fleets such as couriers.
  - Customer expectations affect how hand car washes are reviewed online. The higher the expectation, the lower the review score and vice versa.
  - It is important for customers to know the name of the operator, rather than just any individual's name from the hand car wash.
- Employment non-compliance is a national issue, not limited to any city.
  - The informal working arrangement without an employment contract may suit some workers:
  - Immigration status is interlinked with the right to work; for workers who do not have the right to work and no recourse to public funds, informal employment at a hand car wash may be their only option for income.
  - Migrant workers may fear deportation if they report poor practices to the authorities.
  - Those who do not have the right to work are not protected by HMRC NMW and fall through the regulatory gap.
- Opposing narratives: the victim/worker's own perspective and that of the regulators are not necessarily aligned. The prevailing narrative is that workers are exploited and need to be saved, but some workers do not see themselves as victims or in need of rescue and their perspective needs greater attention.
- Some groups in society are more vulnerable to exploitation, as in the case of County Lines, and they remain vulnerable even after they have been saved from exploitation. More support for vulnerable groups is needed in wider society.
- Language and cultural differences can be a barrier between workers and the authorities.



## Recommendations from the Workshops

Workshop participants felt that a number of actions were needed. These are summarised in the bullet points below and have been combined in our recommendations shared later in this report.

- Education for young people before they leave school to inform them about their working rights before they enter the workforce – the GLAA have indicated to us that work on sector skills qualifications was launched in 2021 to support learners to gain confidence and develop skills that will help them to prepare, be safe and succeed in employment and is targeted at 16 – 19 year olds (SEG Awards Level 1 Award in Workers' Rights and Labour Exploitation - <https://skillsandeducationgroupawards.co.uk/qualification/level-1-award-in-workers-rights-and-labour-exploitation/>).
- More engagement and awareness-raising with consumers and the wider public on the hand car wash sector and the challenges within it.
- Multi-agency site visits need to have a clear objective and better information gathering before the visit.
- Better use and distribution of resources in carrying out multi-agency visits.
- Having an accreditation mark would help guide customers to choose compliant hand car washes, instead of the customer having to make that judgement based on the prices offered.
- Website of accredited hand car washes.
- A property-based approach: contact landlords and utilities companies to find out who is using the land and paying the rates.
- A licencing scheme could impose conditions: compliance could be rewarded with money off sign up or renewal costs, and non-compliance should incur fines.
- There should be a need to find out how workers are recruited and understand the demographics of the workers e.g., have they worked on a hand car wash before?

## Reflections

The workshops were effective at facilitating communication between agencies. The workshops were similar to a focus group and the sample was chosen to highlight the agency and regulatory perspectives of the hand car wash sector. The participant sample included key staff members, representatives and stakeholders and were selected because they possess expertise, knowledge and experience pertaining to the hand car wash sector. The discussion therefore was professional in tone and participants expressed themselves within their professional capacities and the agencies which they represented.

The drawback of the workshop approach relates to the depth of discussion. The workshops brought together agencies which have different focusses and awareness of the sector, and this may have contributed to the lack of flow at times in the conversation. Participant comments were sometimes unrelated to the one preceding, which meant that certain topics were moved on from quite quickly when there might have been more to say. This limitation can be overcome by making follow-up contact with participants to discuss any topics further if they wish to. Participant responses during the workshops revealed there are shared perspectives and concerns amongst the various agencies.

The general consensus amongst participants was that they are concerned by the sector. The reasons for the concern are based on many different fragments of information that give rise to doubt the legitimacy and legality of some HCWs. However at present, due to a lack of information and knowledge about HCW businesses it is difficult to clearly define the problems. In order to gain clarity and better understanding of the risks within the sector, the participants expressed support for more attention and investigation into the sector.

A recurring theme in the discussions was the suggestion for taking a multi-agency approach through inter-agency coordination and joint site visits. Participants expressed support for the approach and willingness to work together with other agencies in theory, however this was accompanied by concerns about the practicality due to issues around time and funding constraints, limited staff numbers and rules on data and information sharing between agencies.

To overcome these limitations, participants considered two main alternative approaches: first, a property-based approach which would involve contacting landlords and finding out who owns the land and pays for utilities. Second, a financial approach through HMRC to find out if there is organised unlawful activity connected to the HCW businesses such as fraud or money laundering. These approaches would enable the agencies to ascertain if the sector has connections with organised crime.

In addition to issues of the supply side, participants raised questions about the demand for HCWs and the potential for public and consumer engagement to tackle non-compliance in the sector. The participants highlighted that the public are interested and concerned about what happens in their local communities and they could be a useful source of information for the agencies when site visits are not always feasible. The participants emphasised the importance of safeguarding and the potential benefits of educating and empowering the public through initiatives, such as the Safe Car Wash App, to recognise and report issues they witness which could be signs of labour exploitation or modern slavery.

The final key point raised in the workshops is the voice of the workers. The participants explained that workers' situations are often complex for which there is not a straightforward solution. The role of immigration policy and immigration status affects the ability for vulnerable workers to report mistreatment to the authorities, it affects their access to working rights and affects how effectively agencies can respond to their needs. Participants highlighted how vital it is to build trust with the workers in order to effectively communicate and ultimately help them.

# Conclusion

As can be seen from the results, not one car wash achieved full compliance, either on the first visit, or after the second visit when they would feasibly have had a chance to collect the relevant data and make improvements as outlined in the RCWS audit report. On the second visit, several owners or operators stated that they had no intention of joining the scheme, despite being advised that there would be no charge for membership as part of the project. The overriding reason for not joining seems to be so that they do not feel they have to comply with the provisions of the code requirements, despite many of the clauses being legal requirements. The persistent non-compliance is of serious concern and highlights the embedded nature of these business practices which may well fuel a wider lack of compliance and rule following as indicated by Keizer (2008)

In terms of compliance rating against individual clauses, having consent to discharge trade effluent into the sewers produced a zero-compliance rating across all sites in all three areas. This is despite operators being made aware of this in the audit report and that it is a criminal offence to discharge without a consent. Likewise, there is very poor compliance regarding right to work (RTW) checks, payslips and employment contracts. The highest compliance was in areas such as accommodation and transport, but these scores are not easily verifiable without talking to the workers. Higher levels of compliance were evidenced against workplace facilities such as provision of a place for workers to shelter (usually no more than a temporary cabin) and solid waste disposal. However, in terms of the former, this was not always to a very high standard and could benefit from improvements. Although there was some change in compliance rating between visit one and visit two, this was minimal with the overall compliance against the Code being low across all three areas.

Where an operator or owner was unable to provide details of company ownership, planning permission or trade effluent consent, these could be checked through publicly accessible websites and registers. Company information is available through the Companies House website and planning information through the relevant local council websites but checking trade effluent consent proved difficult. By law, water wholesalers are required to keep a public register of trade effluent consents.

However, for Norfolk and Suffolk, it was difficult to find where this register was held. Despite repeated calls to Anglian Water, the register could not be found. Anglian Water later advised the RCWS that there would be a £25 fee to extract parts of the register for a particular address. For Leicester, Severn Trent Water's trade effluent register was publicly accessible on their website, but it was noted that this did not include any of the car washes visited. Following discussions with Severn Trent Water it transpired that, where car washes are concerned, they do not provide full trade effluent consent. Instead, they provide a letter giving approval to discharge. As this "letter" is not a full trade consent, it does not appear on the register and, therefore, it cannot be checked by a member of the public. According to Severn Trent Water, due to GDPR rules, the only way that a check can be carried out in this case is if the car wash concerned gives their approval for the details of the letter to be released. This essentially means that for most car washes in Leicester it cannot be verified if they are allowed to discharge effluent to the sewers. This inconsistent approach fails to help provide an informed approach for enforcement agencies or future licensing bodies. The project team would recommend that discussions with OfWat should be progressed to understand the discrepancies here.

When checking a site's planning permission, it was noted that many approvals had been granted with certain conditions, such as restrictions on opening hours and drainage. In at least one case, the car wash's hours did not meet with the planning conditions. From this, it is apparent that councils do not routinely check whether a site complies with its approval conditions and, it is assumed, that compliance checks only occur when a complaint is made about a site.

During the visits the auditors engaged in discussions with operators or owners regarding their business and, where possible, also with the workers on site. The detail of these discussions is not part of the metrics, which are quantitative, but give important insights to car wash operations. A summary of the main issues from these discussions are given below.

- The hand car wash business is competitive with many of the owners of more established sites complaining that they are being undercut by other car washes popping up and trading for a short period and then closing.

- Owners questioned why other businesses, such as nail bars, restaurants etc., were not subject to the same level of scrutiny as car washes. This highlights a challenge for regulators to ensure communication with the sector does not become perceived as victimisation by owners. Clear connected approaches should be further developed and utilised alongside work to model leading practice for business owners.
- There were five instances of workers leaving the business on the arrival of police and RCWS auditors. This occurred in two sites in Leicester, and three sites in Suffolk. In one instance, there was a migrant illegally working on site who was interviewed by police and taken back to his accommodation. Our conversations with both workers and owners highlight a lack of concern for workers' welfare and status. Many operators expressed the view that workers were disposable assets in their business model.
- Reported ethnicities recorded during site visits confirmed GLAA sector summaries with a prevalence for workers whose ethnicity was Romanian, Bulgarian and Kurdish.
- We noted that ethnic Romanian operated car washes tend to employ other Romanians and it was noted that there were often clear familial links.

Nationality	Leicester	Suffolk	Norfolk	Total (All
Afghan	1			1
Albanian		2	2	4
Bulgarian	2	3	3	8
Iranian	3	1	1	5
Iraqi	1	1		2
Kosovan	1			1
Kurdish	3	1	1	5
Lithuanian		2	2	4
Malaysian			1	1
Moldovan			1	1
Polish			1	1
Romanian	3	7	5	15
Slovakian		1		1
UK			1	1
Mixed	1			1
N/A		3	3	6
Manager				
Afghan	2			2
Albanian			1	1
Polish			1	1
Romanian	1	2	1	4
N/A	6	10	8	24
Owner				
Afghan	1			1
Albanian	1		2	3
Kurdish			1	1
Polish			1	1
N/A	9	12	8	29

Table 4: Table showing number of times a nationality was identified at a car wash, by position and region.

\*Mixed nationalities were the only information provided at one wash

- The above data was gathered from interviews with operators and workers. It was easier to identify workers. Worker ethnicity could be difficult to identify even when present due to language barriers or leaving the site when the project team arrived.
- Identifying managers and their ethnicity was a difficult task because a worker may have been entrusted with some responsibility or hold a specific and separate role. Five different nationalities were recorded during the visits and there were examples of single-nationality washes operated by Romanian, Kurdish or Polish individuals.

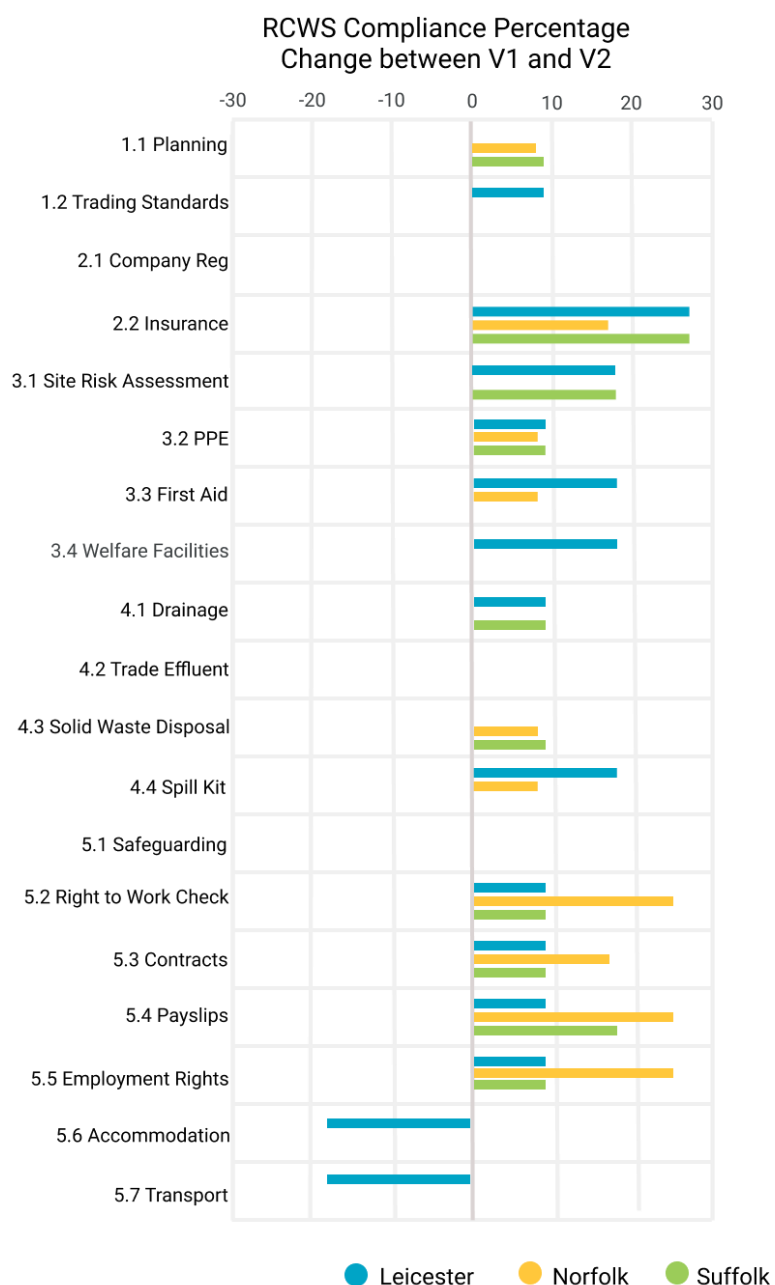
- A common theme was that the auditors were told by the owner or operator that right to work checks, payslips and employment contracts were dealt with by their accountant. Rarely were the accountant's details provided or the evidence supplied on the follow up visit. Where details of the accountant were provided, there was evidence that operators within a given area used the same accountant. Inspection of the evidence supplied by the accountant showed it to be non-compliant with employment law and generic in nature, not relating to the business in question. This suggests that the accountant is acting as a facilitator in non-compliance and/or the contracts were hastily created to attempt to show compliance to the auditors. It highlights the need for joint working with HMRC to review and confirm PAYE status at hand car washes.
- Payment to workers is almost always less than the rates laid out in minimum wage legislation. Sometimes they are paid if it rains and sometimes not, with reports of 50% reductions based on site activity levels commonly shared. We also gathered insights from workers that indicated many were telephoned on the day and told whether or not to come to work challenging the assumption that they worked to a contract. None of the workers spoken to appeared to be aware of their employment rights, pension entitlement or the minimum wage level they should be paid. This is not helped by the owners or operators telling workers that they are paid for a days' work. When asked about their contracted hours of work, many workers stated that they were either working 16 or 20 hours a week, which seems incompatible with the days they are on site. Most car washes in the regions covered are open 7 days a week with many being opening between 8am and 9am till after 7pm with some stating they are open 'Until late'. Almost all the car washes reviewed only took cash payments. Out of the 3 regions covered by the NTU digital search beforehand, only 1 hand car washes prominently advertised that they accepted card.
- Nearly all operators or owners complained about how difficult it was to get staff. They said staff join, then leave after a few weeks. Along with



the inherently transient nature of the workers, this may go some way to explain the reluctance of the operators or owners to carry out right to work checks, or to give workers employment contracts but it remains clear that workers are not viewed as valued assets in the business models operated in the sites.

- Many sites do not have toilets or have toilets that are unclean and unhygienic.
- Very few sites were able to provide proof that a licensed waste removal company came to clear their interceptor pits. Solid waste removal was easier to evidence as trade bins and skips could be seen on sites but very few sites visited showed high levels of cleanliness or well managed waste processes.
- Wearing of PPE is inconsistent. Most workers were seen wearing gloves and some had waterproof boots. However, most workers were wearing trainers and non-waterproof clothing. Many workers were visibly wet and some looked uncomfortable.
- Clothing worn by workers could be identified at 63 sites across the three regions. 46 of the sites had workers in unsuitable clothing for wet working conditions. A majority of these 46 sites had workers in trainers with a few in wellies. 17 sites (26%) had some provision of high visibility clothing, needed to work around moving vehicles but often still lacked clothing for the wet conditions.
- None of the sites visited have PAT tested any of their electrical appliances. Some had carried this out before the second visit, after receiving the audit report, but most did not. In most cases site electrics appeared sound, but some looked very poor indeed.
- One car wash operator had previously been fined by the pensions regulator for failing to comply with the requirements to have a workplace pension in place. This fine appeared to have had no impact as an example employment contract shown to the auditors made no reference to workplace pensions.

- The highest RCWS code score recorded was 13, It is important to note that the clauses are not weighted and, therefore, consideration needs to be given to the areas of non-compliance for each site particularly in relation to the risk posed to workers. Given that all sites recorded low compliance with the clauses relating to employment practices (5.2 right to work checks. 5.3 contracts, 5.4 pay slips. 5.5 employment rights) this should be a matter for concern. For a site to gain RCWS accreditation, all clauses need to be met.
- There were two car washes on located on a public car park operated by a major car park operator: one in Suffolk and one in Norfolk. In both these cases, the car washes were run poorly, and it is felt that car park operator should be taking more note of these non-compliant businesses operating on their premises.
- There was a feeling from the auditors, which is borne out by the data, that overall Leicester sites were less compliant than the other two areas. Each area moved forward on clauses by 6-8% but no area had more than 34% completion rates against the clauses on the second visit checks.



*Figure 17: RCWC compliance percentage change between visit 1 & 2 for Leicester, Norfolk and Suffolk*

The graph above shows that following Visit 1, levels of compliance improved overall across the three regions for the majority of the RCWS code clauses, with Insurance experiencing the largest improvement. Company Reg and Trade Effluent compliance remained constant between visits. Leicester was the only region to become less compliant against the clauses Transport and

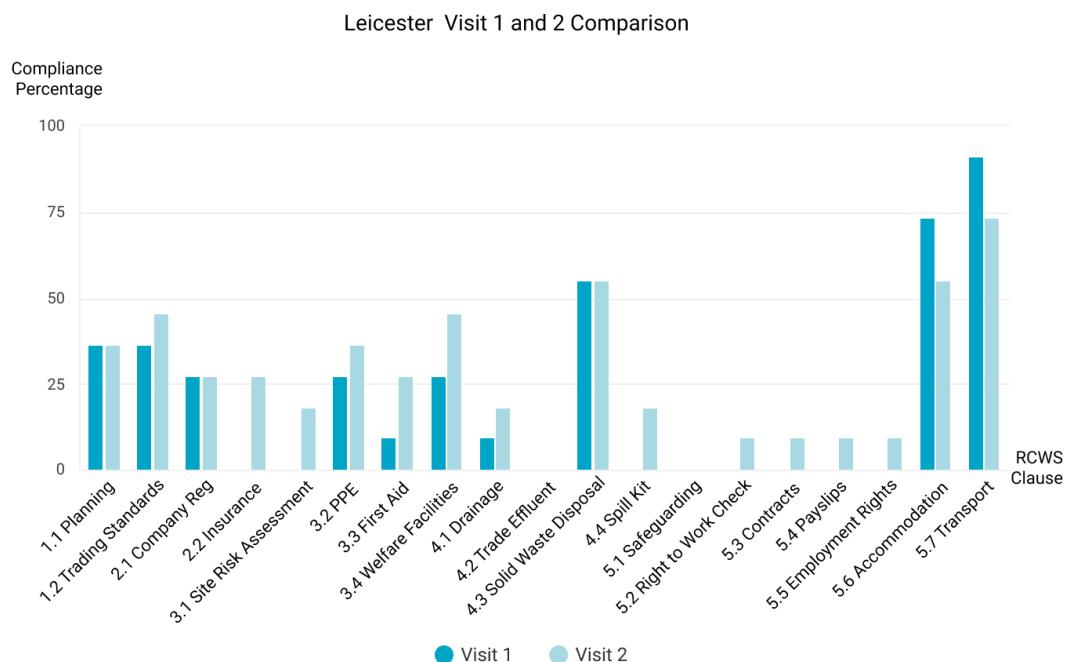


Figure 18: Graph shows compliance levels with RCWS clauses between Visit one and two for Leicester

Graph above shows that Leicester maintained compliance levels between Visits 1 and 2 for Planning, Company Reg, Trade Effluent and Solid Waste Disposal. It experienced improvement in compliance for the majority of clauses, the greatest change was in Insurance. Accommodation and Transport experienced decline in compliance.

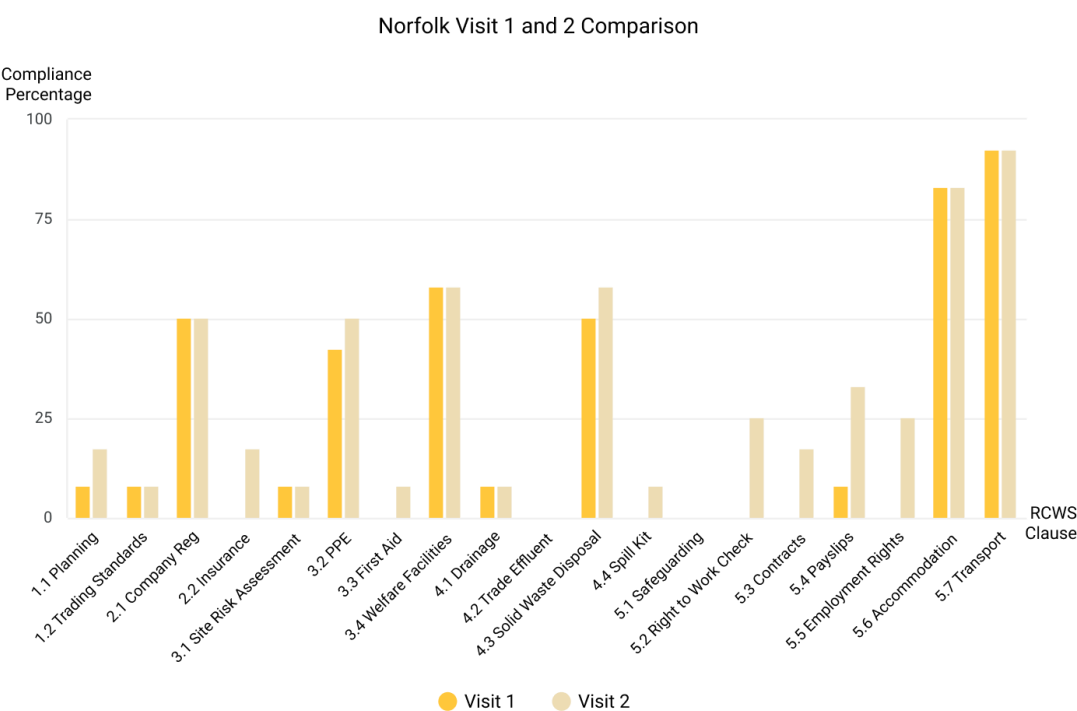


Figure 19: Graph shows compliance levels with RCWS clauses between visit one and two for Norfolk

Figure 19 shows that sites maintained levels of compliance against seven of the clauses. Norfolk experienced improvement for the majority of clauses, the strongest improvement was in Right to Work Check, Payslips and Employment Rights. Norfolk experienced no decline in compliance level

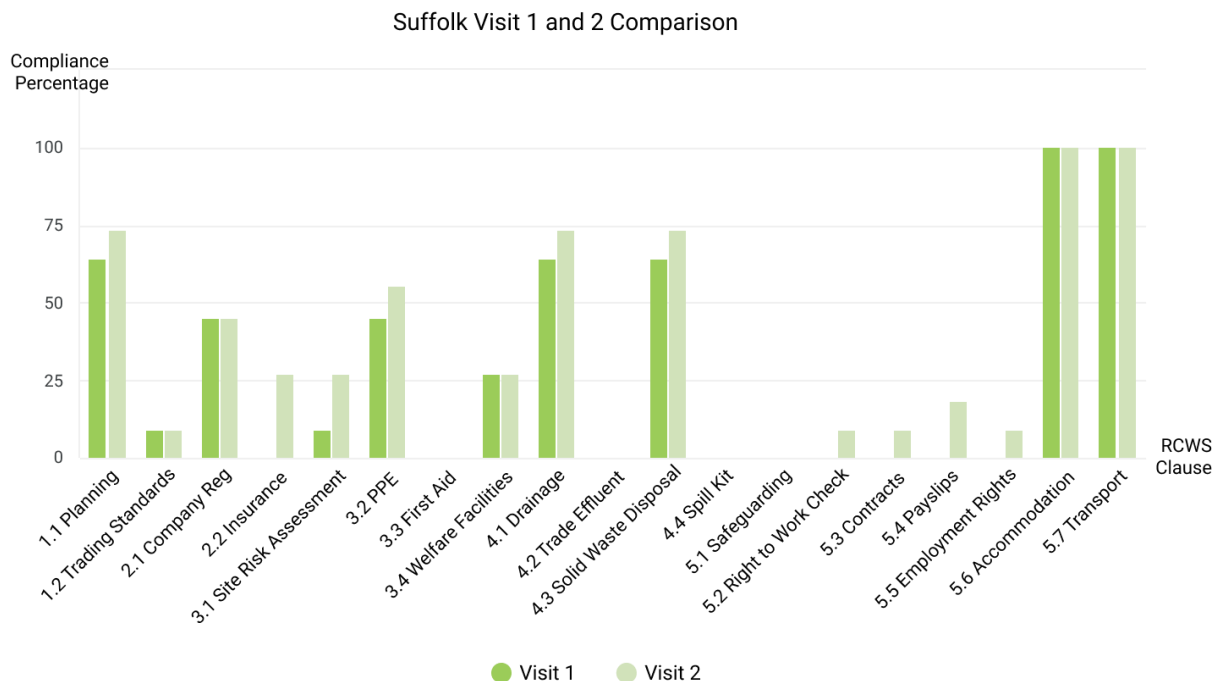


Figure 20: Graph shows compliance levels with RCWS clauses between Visit one and two for Suffolk

Figure 20 shows that Suffolk maintained levels of compliance for 8 of the clauses. Levels of compliance improved for the majority of the clauses, most notably for Insurance, and no clauses experienced a decline.

- An analysis of the reports via the Safe Car Wash App since the billboard campaign was instigated show that Norfolk registered 31 reports, Suffolk 22 and Leicester 5. Looking at the corresponding period in the previous year, only Leicester registered a single report through the app with the total number of reports for the year remaining low across all three areas with Leicester registering 3, Suffolk 7 and Norfolk 8. The results for 2022 show a significant uptick in the number of reports via the Safe Car Wash App in the areas covered in the project.

# Recommendations

1. A shared and agreed approach to eradicate non-compliant activity and unlawful actions needs to be developed, implemented by all agencies and organisations working within the system. This needs to be based on a common understanding of what constitutes compliance and who is responsible for regulation/enforcement of the different facets that impact hand car washes. This project has highlighted the depth of non-compliance and the lack of unified approaches in three areas of the UK. Despite our extensive engagement in this sector, we were reminded that the embedded nature of non-compliance is a clear and obvious failure of our society to regulate business and support workers and consumers. The lack of rule following and the visible nature of non-compliance to regulators and citizens is a clear sign that this type of activity is tolerated. Reflecting on Keizer et al's work (2008) we should be concerned of the wider ramifications of this on society.
2. The current system of labour market regulation is fragmented, and this enables non-compliance to continue throughout the HCW sector. Various agencies regulate their respective components of the sector but what is needed is a holistic and unified multi-agency approach. Such an outcome could be one positive result of a movement towards a Single Enforcement Body for labour market regulation. Evidence from our sector wide workshops highlights valuable multi-agency working approaches but a lack of shared strategic objectives and agreed data sharing processes hinders further joined up and targeted work in the sector with many participants indicating that fragmentation of perspectives and organisational needs limited the ability to see the car wash as a whole business. We already observe a sector that fails to be compliant and this will not change without concerted efforts by all parties responsible for tackling the multiple failures documented in this report and through the RCWS Code.

3. Multi-agency action requires effective use of participants' resources to disrupt and tackle non-compliance in a targeted way. Many of the elements of compliance are binary; for example, whether a trade effluent consent is in place or not or whether the car wash is registered for business rates. However, other elements are not binary. For example, compliance with PPE regulations where the business may fall short, or the presence of workplace facilities that may, at times, be in an unhygienic condition or require other improvements. Focusing on the binary elements of compliance and applying a continuous pressure on these elements, will bring about a rapid and measurable rate of change. For businesses that comply, as opposed to exiting the market, this will likely have the effect of bringing about further improvements as the continuous pressure applied by regulators then focuses on other elements of compliance. Failure to continue this approach will only cement the belief by operators that they can continue to disregard their legal, moral and ethical requirements and will lead to further abuses of workers, consumer rights and environmental standards.
4. The use of effective multiagency reporting and monitoring of at-risk sites needs to be considered in a longer-term process that ensures regulatory non-compliance across the full spectrum of rules and legal obligations are tackled together. Workshop participants highlighted that data and intelligence on sites was never stored centrally meaning different agencies hold different parts of the jigsaw restricting the ability of everyone to see the whole picture. Through this project we did not engage with anyone who indicated that they were being forced to work on site. Workshop participants highlighted that those at risk of modern slavery were unlikely to engage with organisations or individuals who made short or one-off engagements with longer term relational engagement needed. Joined up and long-term engagement is recommended.
5. The RCWS code provides a useful check list of legal minimum requirements for hand car washes operating in the UK. The code should be used to raise standards of compliance across the whole HCW sector through education. This approach will not, on its own, tackle the



embedded nature of non-compliance in the sector as proved by our prior research (Pickford et al, 2022). We believe that the RCWS code should be used as a checklist for any new business entering the market with a licensing model used to prevent businesses that don't follow these legal minimums barred from setting up. Further local or regional level enforcement of existing businesses is also required to improve standards and remove unlawful actions.

6. In-depth engagement with hand car wash workers across the UK to raise their awareness of their employment and pension rights. The almost complete lack of employment information and awareness (purposeful or not) requires work to ensure that staff are aware of their rights and have agency to affect change. We have seen the challenges owners face in keeping workers but suggest that they tackle this lack of employee longevity not by treating them as cheap assets but as valuable and critical components of their business by providing them with employment contracts, legal minimums in terms of wages alongside sick and holiday pay and by ensuring PPE and welfare facilities are fit for purpose.
7. Community engagement in the form of publicity campaigns may offer a valuable route to educating consumers to the risks of non-compliant hand car washes and results from the billboard and bus stop adverts has seen an increase in local reports to the Safe Car Wash app. However, it must be stressed that none of the sites visited through this project met the legal threshold for a legitimate law-abiding business so we must ensure consumers have a valid legitimate offer otherwise we fail to provide them with a clear choice. Campaigns such as NCA's Ethical Consumer campaign clearly articulate the dangers but must consider the alternative option for consumers. The workshop aspect of this project has highlighted the value of partnership working and information sharing. This project recommends the establishment of hand car wash agenda items for all Community Safety Partnerships across the UK to facilitate multi-agency awareness and engagement with a sector in need of reform using the RCWS Code as the basis for engagement with the sector and to determine the risk profile of sites.

8. The ODLME should continue to explore and promote the use of local or regional licensing for this sector with government helping to produce a sector that is fair for all businesses and provides safe businesses for consumers and workers. Any licensing regime should be based on the RCWS Code and Co-badged with the RCWS. This project has highlighted the extensive nature of dangerous practices across a range of factors that should not be allowed to be the sectoral norm.

These recommendations should be considered alongside wider work and interlinked recommendations undertaken by WIP including the four authority evaluation of intervention models with the GLAA and RCWS (Pickford et al 2022) and with our Arts and Humanities Research Council funded project on the informal economy and Covid-19 (Hunter et al 2022) to support a joined up system-level approach to tackling unlawful actions and supporting those exploited within the UK.

# Annexes

## Site scores

The scores show that Leicester had on average a lower standard of sites. Leicester had the highest WIP score average with 7.36 and the worst RCWS score average of 5.18, with Norwich coming second with 5.67. Leicester also had the highest standard deviation of 4.17 for the RCWs scores and 0.74 for WIP scoring. Leicester therefore not only had the lowest score, but the largest range of scores with four sites risk scored at 8 or above. It also had the highest individual WIP score given. Whilst four sites in Leicester scored no more than 2 on the RCWS code review it also had one site each scoring 12 and 13 which were the highest compliance scores across the visits. Suffolk performed slightly worse than Norwich in the WIP scoring (6.86 vs 6.73 respectively) but slightly better on RCWS Scoring 6.55 vs 5.67). These average scores highlight a general area trend of high risk and poor compliance but further details of individual site scores can be found below alongside the RCWS narrative reports.

Score Averages	Leicester	Norwich	Suffolk
WIP Average	7.36	6.73	6.86
WIP SD	0.74	0.65	0.55
RCWS Average	5.18	5.67	6.55
RCWS SD	4.17	3.5	3.01

Table 5: Average risk and compliance scores across each area

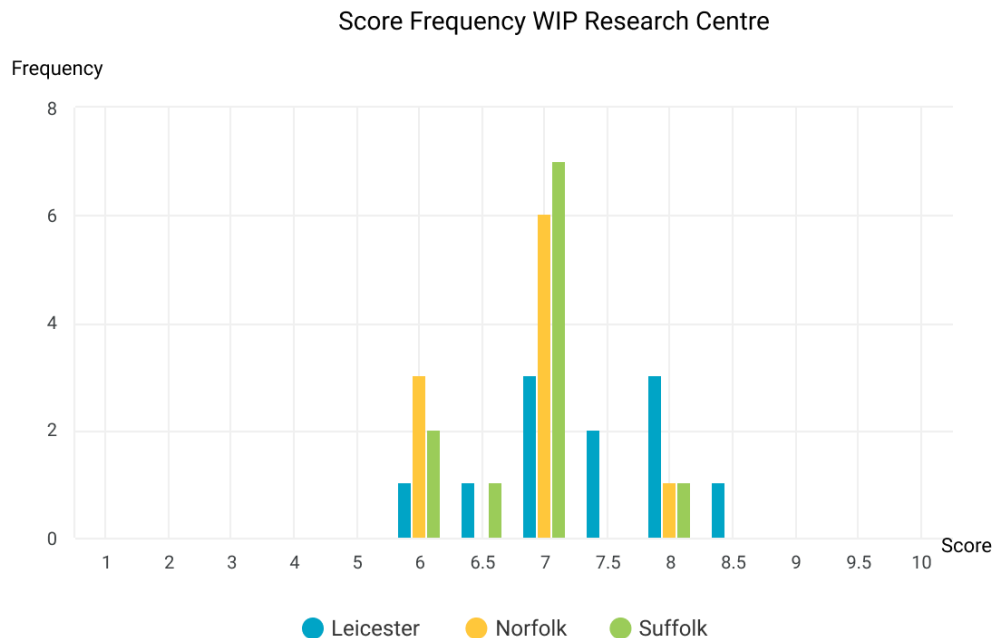


Figure 21: Graph shows WIP score frequency for Leicester, Norfolk and Suffolk

Figure 21 show that the scores range from 6 to 8.5. Norfolk received the most scores of 6 making it the least problematic region for the sector. One site in Leicester scored 8.5 making it the most concerning of the regions. Norfolk and Suffolk peak sharply at scores of 7, whereas Leicester's scores are more evenly spread across the range from 6 to 8.5. The WIP does not score any HCW site better than a 4 because based on research it is thought that there is a strong likelihood of wage theft across the sector.

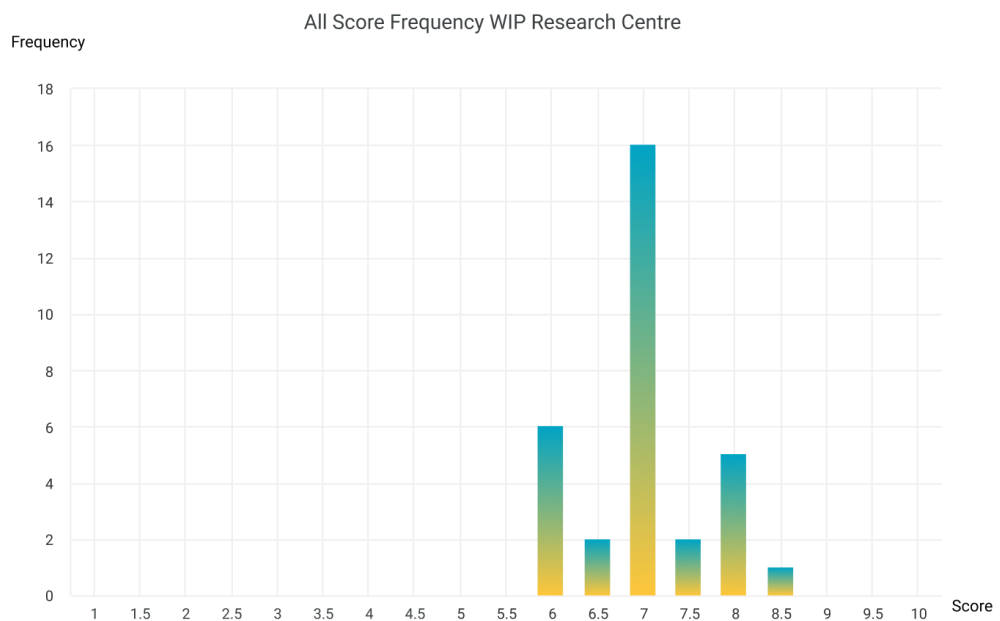


Figure 22: Graph shows WIP scores frequency for all sites

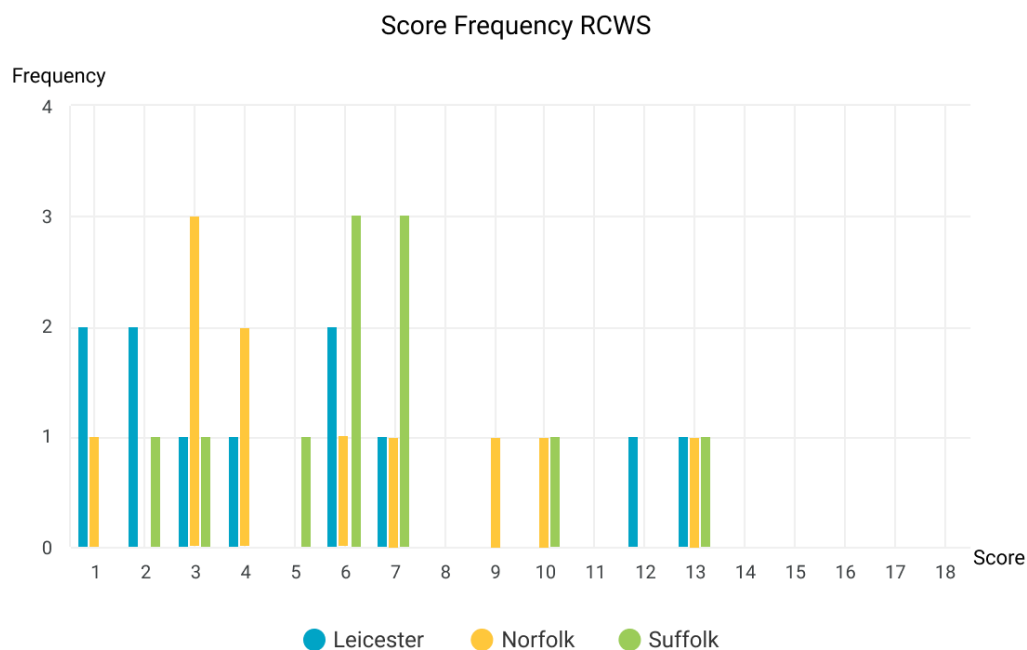


Figure 23: Graph shows RCWS score frequency for Leicester, Norfolk and Suffolk

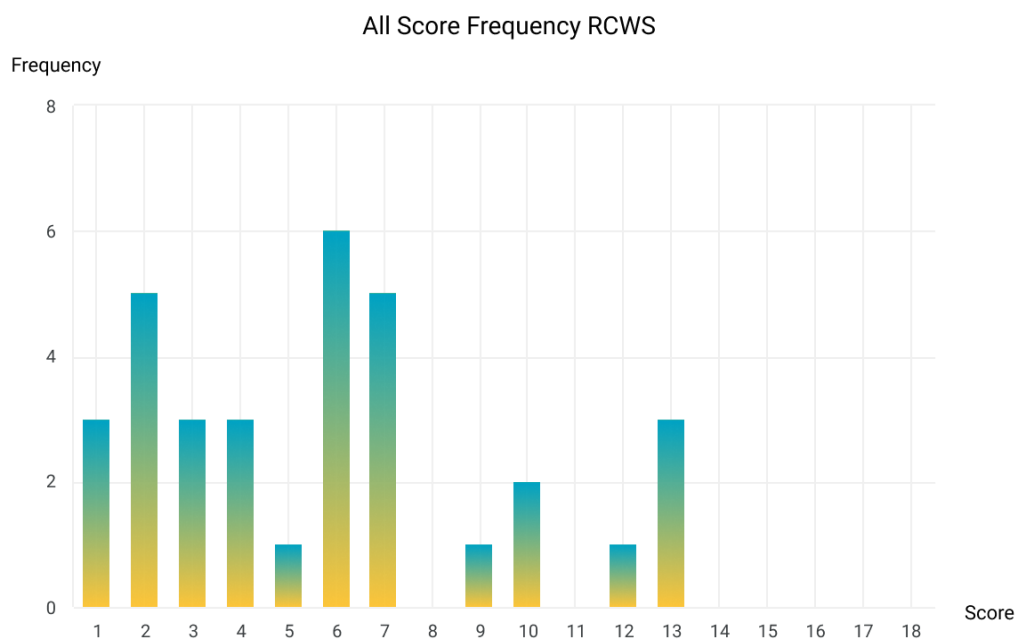


Figure 24: Graph shows RCWS scores frequency for all sites

Figures 23 and 24 show that the scores range from 1 to 13. A score of 6 is the most common when the regional scores are combined. Leicester and Suffolk have one site each which scored 13 out of 18 which is the highest that any of the sites achieved. Suffolk and Norfolk have peaks of scores for 4, 6 and 7, whereas Leicester scores more evenly across the range. Overall, scores cluster around the lowest end of the scale with far fewer achieving higher than a score of 7.

## Home Office Project Audit Questionnaire

Area:			
Trading Name of Car Wash:			
Address:			
<b>Operator Details</b>			
What is the full name of the operator?			
Contact telephone			
Contact email			
How long has the current operator been running the site?			
How many workers does the operator have working for him?			
How many workers have been observed working on the site?			
<b>Planning (RCWS Clause 1.1)</b>			
Ask the operator to confirm the address of the site			
Has the operator got planning permission?	Yes/No/Don't know		
<b>Trading Standards (RCWS Clause 1.2)</b>			
Is the operator's full name and correspondence address displayed for customers?	Yes/No (if yes, please take photo)		
Is there a price list?	Yes/No (if yes, please take photo)		
Is the price list clear and transparent?	Yes/No		
How can customers pay?	Cash/Card/Either		
Can the operator provide a receipt if required?	Yes/No		

Insurance (RCWS Clause 2.2)	
Have you seen any workers moving customers vehicles?	Yes /No
Does the operator claim to have insurance?	Yes /No
What type of insurance?	Employer's liability Public liability Motor
Are insurance certificates displayed for customers to see?	Yes/ No
Site Risk Assessment (RCWS Clause 3.1)	
<i>(please take a photo/photos of the site showing the main working area, chemical storage, drainage, buildings etc.)</i>	
Does the site have an electrical supply?	Yes/ No
Electrical visual inspection	Are there any concerns over: Sockets: Yes/No Wiring: Yes/No Cables: Yes/No
Are there any trip hazards?	Yes/ No
Is the site orderly and well maintained?	Yes/ No
What chemicals are being used on the site?	
Where are chemicals being stored?	
PPE (RCWS Clause 3.2)	
Does the operator supply clothing/PPE for workers	Yes/No (if Yes, what is supplied?)  (if Yes, is there a charge? Yes/No)



Are the workers wearing:	Gloves: Yes/No Waterproof footwear: Yes/No Protective footwear: Yes/No Waterproof trousers: Yes/No Waterproof top: Yes/No Hi viz: Yes/No
First Aid, Accidents and Ill Health (RCWS Clause 3.3)	
Is there a first aid kit on the premises?	Yes/No If yes, is it accessible, well stocked and in date? Yes/No
Is there an accident book on the premises?	Yes/No
Trade Effluent Consent (RCWS Clause 4.2)	
Which retailer supplies water to the site?	
Which retailer provides sewage services?	
Does the site have a water meter?	Yes/No
Does the operator have a trade effluent consent?	Yes/No
Disposal of Waste Material (RCWS Clause 4.3)	
Is there evidence of business waste collection by the local council or approved provider?	Yes/No
Safeguarding Workers (RCWS Clause 5.1)	
What are the daily operating hours for the site?	Mon – Fri: Sat: Sun:
How many breaks do the workers get?	
How frequent and how long are the breaks?	

Legal Right to Work (RCWS Clause 5.2)			
Can the operator provide evidence that they undertake legal right to work checks on all workers?		Yes/No (note below if these documents are available on site)	
Are any workers awaiting decisions on immigration status?			Yes/No
What nationality are the workers?			
Are any of the workers under 18?		Yes/No	
Terms of Engagement – contracts (RCWS Clause 5.3 and 5.5)			
Can the operator show you an employment contract?			Yes/No
If a contract is shown, does it state:	Name of Worker?:		Yes/No
	Address of Worker?:		Yes/No
	Age of Worker?:		Yes/No
	Hourly rate of pay?:		Yes/No
	Minimum Contracted Hours?:		Yes/No
	Frequency of Payment?:		Yes/No
	Holiday pay?:		Yes/No
Reference to pensions:		Yes/No	
Payment of Workers and Record Keeping (RCWS Clause 5.4)			
Can the operator show you a payslip for a worker?			Yes/No (if yes, note the PAYE number):
If a payslip is shown, is it itemised for deductions?			Yes/No
How are workers paid?			Cash/Bank Transfer
How frequently are workers paid?			
Is there an hour log for each worker?		Yes/No	
Do the workers get paid if not working due to inclement weather?			Yes/No

Provision of Accommodation (RCWS Clause 5.6)	
Is there evidence of workers sleeping on site?	Yes/No
Does the operator provide accommodation for the workers?	Yes/No if Yes: is this optional?: Yes/No is this an HMO?: Yes/No how much is charged per week?: is it registered with the council?: Yes/No
Provision of Transport (RCWS Clause 5.7)	
Does the operator provide transport for the workers?	Yes/No If Yes: is this optional?: Yes/No what is the cost?

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